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Description of the Regulatory Process for the San Diego, California Case Study

Pacific Environmental Services, Inc.
Elmhurst, IL

Prepared for

Council on Environmental Quality
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CEQ and EPA sponsored five studies examining the response of sources to the regulatory approach to controlling air pollution, with emphasis on the post-compliance emissions history. The study areas are: North Carolina (3 vols), Houston (3 vols), San Diego (3 vols), Chicago (3 vols), and New Jersey (2 vols).

This report discusses the development of regulations, the growth and organization of the San Diego County Air Pollution Control District, the allocation of funds by category of expenditure, source of funds, the regulatory process, the general nature of sources regulated, and the application of sanctions.

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TASK I FINAL REPORT

DESCRIPTION OF THE REGULATORY PROCESS FOR THE SAN DIEGO, CALIFORNIA CASE STUDY

July 1979

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i-a

EXECUTIVE SUMMARY

Pacific Environmental Services, Inc. staff members have met with personnel of the San Diego County Air Pollution Control District and the California Air Resources Board and have reviewed agency files which concern activity levels (e.g. inspections, permit processing, litigation), budget, organization and staffing, and some specific industry files. From these interviews and file examinations, this report has been prepared discussing the development of regulations, the growth and organization of the District, the allocation of funds by category of expenditure, source of funds, the regulatory process, the general nature of sources regulated, and the application of sanctions.

The San Diego County Air Pollution Control District was established in 1955, but operated without regulations until 1968. Since that time numerous regulations have been adopted but they were initially based upon those of the then Los Angeles County Air Pollution Control District. Since 1972, regulations have been added generally following the requirements of the State Implementation Plan.

The agency is currently organized along divisional lines, covering (1) the permit system administration, (2) field enforcement, (3) monitoring and technical services, and (4) air resources management (planning). The organization currently has a staff level of about one hundred which is similar on a per capita basis to the larger air pollution control districts in the state. It follows the South Coast Air Quality Management District (a regional district in the metropolitan Los Angeles area) and the Bay Area Air Pollution Control District (a regional district in the San Francisco Bay Area) in absolute size.

The budget for the District currently is at the level of approximately $2,000,000 per year, largely for personnel. The budget has grown substantially over the past ten years but has leveled off in the past two years. About one third of the funding for the program is provided by the state subvention and Federal grant programs. The state funding is awarded on an incremental basis with subsequent awarding of funds throughout the year contingent on program improvements recommended by the California Air Resources Board.

The permitting activities of the District include a staggered annual renewal requirement for approximately 3,000 existing permits, as well as permitting requirements for new construction, change of location, and change of ownership. The NSPS program of the U.S. Environmental Protection Agency has been delegated to the district which also conducts a New Source Review program. The enforcement activities include general area surveillance, annual reinspections, complaint investigations, hearing board actions, and support activities in legal case preparation. In recent years a heavy committment of engineering and inspection time has been made to the development and enforcement of gasoline vapor recovery regulations. The District also conducts air monitoring, source testing, and air quality forecasting activities. Recently, significant manpower has been devoted to SIP revision, air quality maintenance plan development, and to a computerized emission inventory procedure. The administration and planning activities have increased more rapidly in recent years than have the permit and enforcement programs of the District.

The permit activity levels of the District are not controllable in the sense of actual numbers, unless additional sources were to be exempted by rule. The level of processing is somewhat controllable, however. In a recent audit, the California Air Resources Board suggested better documentation of expected emissions in the permit application files. The enforcement and surveillance program is influenced in a major way by the annual reinspection program. Some priority to larger sources is given by assigning two inspectors full time to major sources. In addition, an attempt is made to conduct an annual source test of major sources.

The District does not have its own legal counsel. Prior to 1978, essentially all legal sanctions sought against rule violations were based upon use of the criminal code. All prosecutions seeking misdemeanor penalities were based upon use of the criminal code. All prosecutions seeking misdemeanor penalties are conducted by either the District Attorney or the San Diego City Attorney, depending upon location of the source. Few cases were filed over the years. Blanket authority has recently been granted the District to use the services of the County Counsel's office to seek civil penalties for violations of emission prohibition regulations. Variance requests, appeals of permit denials, and abatement order proceedings are conducted before the Air Pollution Hearing Board of the District.

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1.0 INTRODUCTION

1.1 PROJECT OBJECTIVES

In July 1978, the Council on Environmental Quality (CEQ) in association with the U.S. Environmental Protection Agency (EPA), contracted with Pacific Environmental Services, Inc. (PES) to study the "Effectiveness and Costs of Selected State and Local Regulations for the Reduction of Emissions to the Atmosphere from Stationary Sources." Under this contract, PES is to perform two case studies which will involve Chicago, Illinois and San Diego, California.

The purpose of the study is essentially threefold:

- To determine empirically the nature and extent of the response by stationary sources of air pollutants to existing state/local air pollution control agency regulations;
- To explain the reasons for the actual source responses; and
- To determine the relationship of various regulatory actions to pollutant emission reductions over time.

During the course of the study, particular emphasis is being placed on the degree to which pollutant emission reductions are achieved and maintained over time. The desired result of this study is to examine (as systematically as practicable) and determine the actual achievements, in terms of overall program effectiveness and associated costs of the state and local government, in bringing about the attainment and maintenance of the required pollutant emission reductions by stationary sources through direct regulation.

Each case study has three main phases:

- An analysis of the regulatory process by focusing upon the rules, regulations, procedures, practices and costs associated with the respective state and/or local control agencies;

- The performance of various individual stationary sources of air pollution in responding to direct regulation over time; and
- Various recommendations for improving and/or replacing the existing regulatory process.

The report contained herein represents the data and results obtained by PES for the San Diego, California case study regarding Phase 1 of the study.

1.2 ORGANIZATION OF TASK 1 REPORT

The description of the San Diego, California regulatory process begins with an overview of the history and organization of the San Diego County Air Pollution Control District (APCD). The discussion focuses upon the initial establishment of the agency, a description of its development, and an introduction to the various current agency programs aimed at attaining and maintaining stationary source compliance.

The next section of the report outlines and describes in detail the various agency regulatory programs. These programs are considered in terms of a description of agency procedures and practices, an overview of the program costs and/or sources of funding, and a report as to instances where each particular program was tested in a situation involving a specific source. The basic report concludes with a brief discussion of conclusions reached by PES based upon the data gathered in Phase I of the project. The conclusions center upon our initial impressions of the strengths and weaknesses of agency regulatory programs, and specific areas for further scrutiny as the study progresses into Phase 2.

1.3 DATA GATHERING METHODOLOGY

To facilitate data gathering during Phase 1 with a minimum expenditure of time and effort on the part of regulatory agency staff, PES focused its efforts on contacting key agency staff for the purposes of identifying and/or locating various agency procedures, practices, files, organizational charts, etc. Following the initial staff contacts, PES concentrated on gathering necessary background information directly from state/local agency files/records.

First, a meeting was held on August 10, 1978 in the San Francisco offices of the U.S. Environmental Protection Agency, Region IX. At this meeting, the purpose and scope of the project were discussed between the CEQ and EPA project representatives, the PES case study team, and Mr. Arnold Den, Acting Chief, Air and Hazardous Materials of the U.S. EPA Region IX staff. Also participating in this meeting was Mr. Alvin Chung, an assistant to Mr. Den. It was indicated that the study would be performed with a minimum of disruption to the EPA staff. Mr. Den transmitted materials to PES including a recent evaluation of the San Diego APCD. A similar meeting was held on August 11, 1978 with the San Diego APCD; one result of this meeting was the development of a preliminary list of stationary sources.

Between August 16, 1978 and August 25, 1978, follow-up meetings were conducted by the PES case study team in San Diego. This entailed a detailed review of agency permit and enforcement files as well as copies of subvention forms (application for financial assistance). This material covered the development of the agency and it's programs, levels of funding and manpower, regulations, permitting and inspection activities, and sanctions that have been applied. Written documentation was supplemented with interviews with Mr. Richard Baldwin, Chief, Surveillance and Enforcement Division; Mr. John Farnsworth, Technical Assistant to the Air Pollution Control Officer; Messrs. Hobart Steely, Ray Coleman, Robert Pearce and Walt Geudtner, Air Pollution Inspectors; Messrs. Sid Walton and Mark Evetovich, Engineers; Mr. Daniel Eberle, Administrative Assistant; Mr. Andrew Segal, Chief of Engineering; Mr. Michael Alberson, Environmental Management Specialist; Mr. Clayton R. White, Supervising Air Pollution Instrument Technician; and Mr. Paul Sidhu, Hearing Board Liaison Officer. In order to examine legal issues, interviews were also held with Mr. Duane Shinnick, Assistant District Attorney, County of San Diego, and Mr. Kent Foster, Deputy County Counsel. As a result of these meetings and review of agency files, written documentation concerning the San Diego APCD regulatory process was transmitted to PES. In the course of analyzing this material, subsequent contacts were made with San Diego air pollution officials.

Finally, a visit was made to the California Air Resource Board (CARB) in Sacramento, California, on September 13, 1978. The purpose of this visit was to obtain materials missing from San Diego APCD files and to obtain the CARB perspective toward the San Diego agency's performance. Individuals interviewed in the course of this visit included Mr. James J. Morgester, Chief, Enforcement Branch; Mr. Daniel A. Speer, Air Resources Engineer, Subvention Program; and Mr. Raymond Menebroker, Manager, Industrial Strategy Development Section.

We are extremely grateful for assistance offered by the EPA, CARB, and the San Diego APCD, in the course of preparing this study. Although specifics on some aspects of the regulatory policy and/or practices were lacking in a few instances, we believe that a substantial overview of the regulatory programs was provided by these agencies. The data gathered to date by PES are presented in the following sections.

2.0 AGENCY HISTORY AND ORGANIZATION

2.1 INTRODUCTION

In 1947, legislation had established air pollution control districts in each California County. However, before districts could enforce provisions of the California Health and Safety Code, make rules, or employ staff, it was necessary that the District be activated by the Board of Supervisors of the county concerned after a public hearing on the matter. This was the action taken in San Diego County on June 7, 1955.

Following the activation of the District, the Board of Supervisors became, ex officio, the Air Pollution Control Board and the Health Officer was appointed as Air Pollution Control Officer. For administrative purposes, the small staff initially employed was designated as the Air Pollution Service. For a number of years, activities of the District were restricted to informal source investigations and some air monitoring. No rules were adopted by the District until 1968. This was largely in response to new State of California air pollution legislation and to the Federal Air Quality Act of 1967. The adopted rules included prohibitions and established a permit system. In essence, these rules were the same as those earlier adopted by the then Los Angeles County Air Pollution Control District.

Beginning in 1970, a period of rapid growth in personnel took place. This was supported in large part by Federal grants authorized by the 1967 Air Quality Act and by state subventions to local districts beginning with fiscal year 1973. During this period the District was transformed from Service to Bureau to Division, and was located in the Health Care Agency and remained under the direction of the Health Officer. In 1975, the Air Pollution Control

District was established as a separate County Department under the Health Care Agency and an independent Air Pollution Control Officer appointed. This organizational structure exists at the present. Figure 2-1 represents the organizational structure during the 1970-1971 fiscal year while Figure 2-2 illustrates the present organizational structure of the District.

The San Diego County APCD operates as a single county district under Division 26 of the California Health and Safety Code, as amended January 1, 1978. Its area of jurisdiction is coincident with the county boundaries.

In California, primary responsibility for stationary source air pollution control rests with local and regional agencies. The California Air Resources Board is the official state air pollution agency for purposes of Federal legislative requirements. It has direct responsibility for mobile sources, air quality standards, general research, and for general oversight on local and regional control programs. The Board may, after conducting public hearings, adopt implementation plans, adopt rules, or assume powers of any district. This power has been exercised in a very limited way. The Board does, however, adopt model regulations for major source categories which the larger air pollution control districts (including San Diego) are expected to consider.

Activities of the San Diego APCD are subject to audit by both the California Air Resources Board and by the U.S. Environmental Protection Agency. In recent years air quality maintenance planning has been required by Federal regulations. The Comprehensive Planning Organization of San Diego County, a regional planning group, has participated directly with the district in preparing these plans.

The following sections present the chronological development associated with San Diego APCD regulations, organization, budgets, and air quality monitoring network.

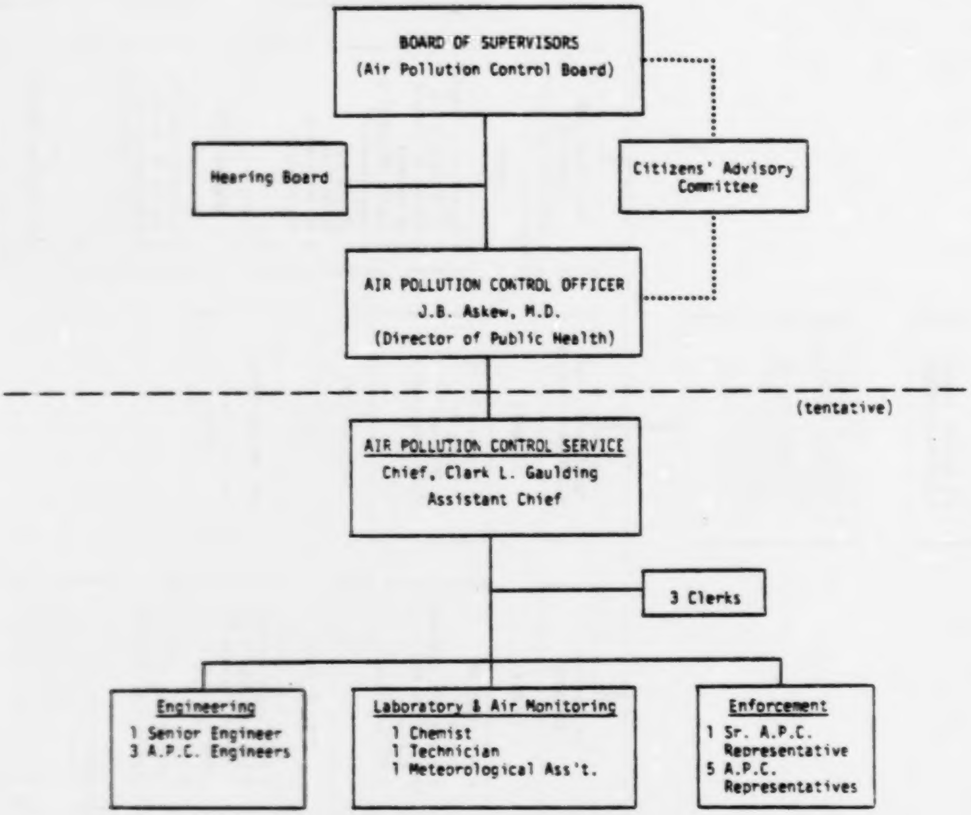
BOARD OF SUPERVISORS
(Air Pollution Control Board)
Hearing Board
Citizens' Advisory Committee
AIR POLLUTION CONTROL OFFICER
J.B. Askew, M.D.
(Director of Public Health)
(tentative)
AIR POLLUTION CONTROL SERVICE
Chief, Clark L. Gaulding
Assistant Chief
3 Clerks
Engineering
1 Senior Engineer
3 A.P.C. Engineers
Laboratory & Air Monitoring
1 Chemist
1 Technician
1 Meteorological Ass't.
Enforcement
1 Sr. A.P.C. Representative
5 A.P.C. Representatives

Figure 2-1. San Diego APCD Organization Chart, 1970-1971 Fiscal Year

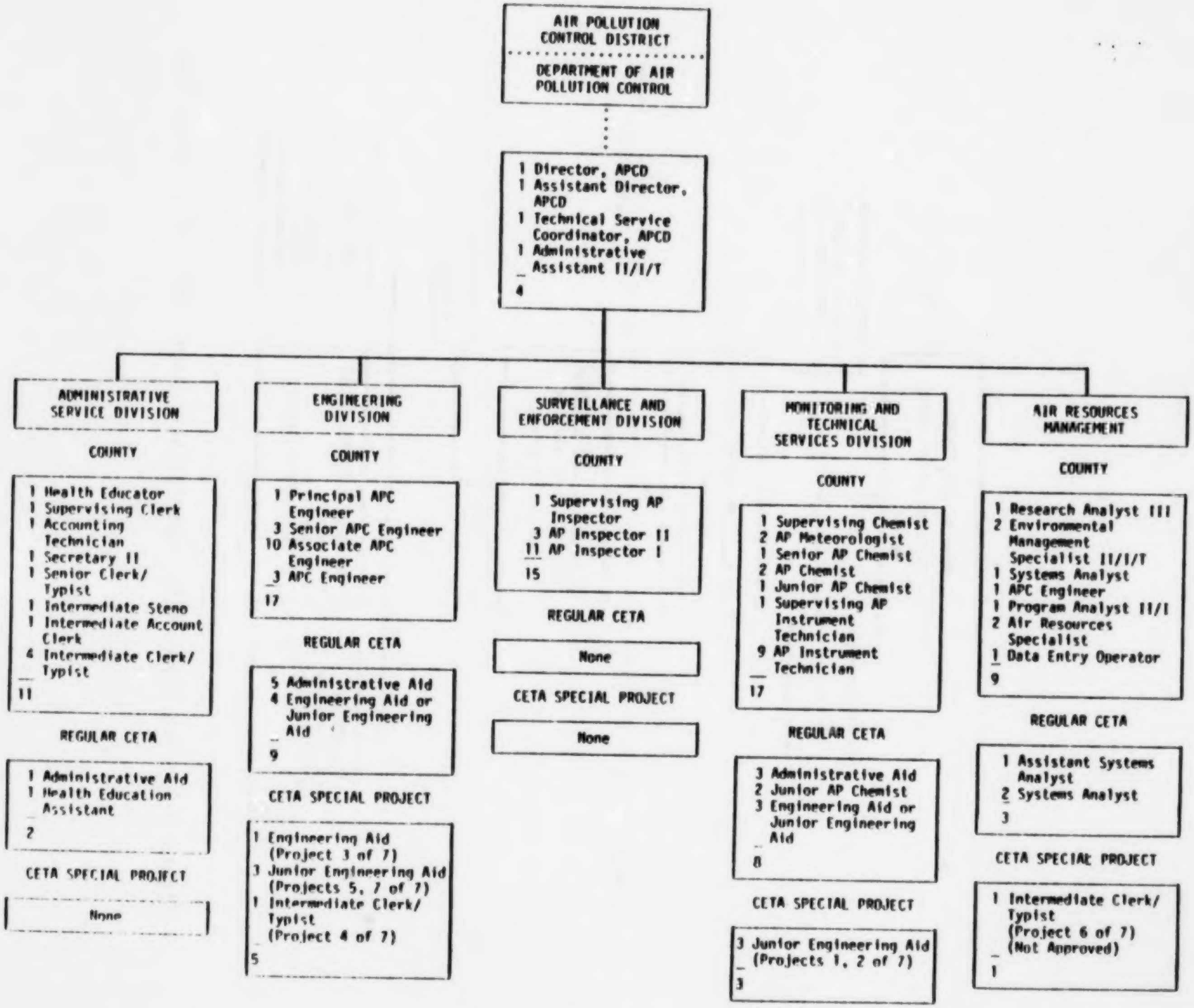
AIR POLLUTION CONTROL DISTRICT
DEPARTMENT OF AIR POLLUTION CONTROL
1 Director, APCD
1 Assistant Director, APCD
1 Technical Service Coordinator, APCD
1 Administrative Assistant II/I/T
4
ADMINISTRATIVE SERVICE DIVISION
COUNTY
1 Health Educator
1 Supervising Clerk
1 Accounting Technician
1 Secretary II
1 Senior Clerk/Typist
1 Intermediate Steno
1 Intermediate Account Clerk
4 Intermediate Clerk/Typist
11
REGULAR CETA
1 Administrative Aid
1 Health Education Assistant
2
CETA SPECIAL PROJECT
None
ENGINEERING DIVISION
COUNTY
1 Principal APC Engineer
3 Senior APC Engineer
10 Associate APC Engineer
3 APC Engineer
17
REGULAR CETA
5 Administrative Aid
4 Engineering Aid or Junior Engineering Aid
9
CETA SPECIAL PROJECT
1 Engineering Aid (Project 3 of 7)
3 Junior Engineering Aid (Projects 5, 7 of 7)
1 Intermediate Clerk/Typist (Project 4 of 7)
5
SURVEILLANCE AND ENFORCEMENT DIVISION
COUNTY
1 Supervising AP Inspector
3 AP Inspector II
11 AP Inspector I
15
REGULAR CETA
None
CETA SPECIAL PROJECT
None
MONITORING AND TECHNICAL SERVICES DIVISION
COUNTY
1 Supervising Chemist
2 AP Meteorologist
1 Senior AP Chemist
2 AP Chemist
1 Junior AP Chemist
1 Supervising AP Instrument Technician
9 AP Instrument Technician
17
REGULAR CETA
3 Administrative Aid
2 Junior AP Chemist
3 Engineering Aid or Junior Engineering Aid
8
CETA SPECIAL PROJECT
3 Junior Engineering Aid (Projects 1, 2 of 7)
3
AIR RESOURCES MANAGEMENT
COUNTY
1 Research Analyst III
2 Environmental Management Specialist II/I/T
1 Systems Analyst
1 APC Engineer
1 Program Analyst II/I
2 Air Resources Specialist
1 Data Entry Operator
9
REGULAR CETA
1 Assistant Systems Analyst
2 Systems Analyst
3
CETA SPECIAL PROJECT
1 Intermediate Clerk/Typist (Project 6 of 7) (Not Approved)
1

Figure 2-2. San Diego APCD Organization Chart, 1977-1978 Fiscal Year

2.2 REGULATIONS

The San Diego Air Pollution Control District (SDAPCD) adopted rules and regulations in Resolution 110 of the Air Pollution Control Board (APCB) on December 9, 1968. The original intent of the regulations was to control sources of smoke, particulates, and odors. During the 1969-1970 fiscal year, three resolutions were adopted by the APCB to initiate four revisions of the rules and regulations in order to more accurately reflect the desired objectives of the program. The revisions deleted permit requirements for the handling, storage, or use of solvents and other petroleum products, and provided for periodic review of the rules by a Citizens Advisory Committee at the direction of the APCB. The other two revisions phased out construction-related open burning.

In 1970, there were four legislative provisions adopted by the California Legislature which affected the San Diego APCD legal authority enforceable by sanctions or other compulsory legal procedures: (1) AB 88 provided for daily fines of up to $6,000 for anyone violating a specific abatement order issued by a district after a public hearing; (2) AB 89 allowed a district to adopt an ordinance authorizing an Air Pollution Control Officer to employ citation arrest procedures; (3) AB 90 which facilitated court procedures seeking injunctive relief; and (4) AB 1119 which permitted the use of a writ of mandate to obtain judicial review of Hearing Board decisions.

The rules and regulations of the District were modified in APCD Resolution 2, dated March 10, 1971. The resolution modified visible emission rules such that opacity limits could be applied to a converging plume from multiple stacks, reduced sulfur emission limitations, and modified permit requirements to include stationary fuel burning equipment equal to or greater than 50×10^6 Btu/hr. The resolution also established a new rule to become applicable at the start of the 1971-1972 fiscal year which established limits on nitrogen oxide emissions from both existing and new fuel burning equipment. Existing units were subject to a two-stage reduction schedule with a final compliance date of December 31, 1973, and new units were to be in compliance by December 31, 1971.

Certain rules of the District were revised during the 1971-1972 fiscal year. The effects of these revisions were to reduce the maximum visible emission limit, reduce the allowable limit of particulate emissions from fuel combustion equipment, and reduce the maximum allowable emissions of particulates from process equipment. The rules were expanded to apply fuel sulfur content limitations to all fuel burning equipment, and were further revised to require the control of odors from rendering plants.

A number of rules were adopted in 1972 to: (1) restrict open burning in the eastern portion of the District; (2) require control of vapors in certain stationary liquid hydrocarbon storage tanks greater than 550 gallons; and (3) require control of vapors from the loading of liquid hydrocarbons into tank trucks, trailers, railroad tank cars, locomotives, aircraft, and stationary storage tanks greater than 550 gallons, or boat or motor vehicle fuel tanks with a capacity exceeding 5 gallons. A rule was also adopted to require control of, or to limit or ban, the use or sale of organic solvents or coatings containing organic solvents.

There were several revisions to the regulations concerning vapor recovery on storage tanks. The results of the revisions were to delay the effective date for compliance and to change the criteria for regulation from tank size to throughput. Requirements were also instituted for authority to construct for petroleum storage tanks.

During the 1972-1973 fiscal year, Regulation VI was adopted and became effective on January 17, 1973 for the control of open burning. Provisions were made within the regulation for burn and no-burn days. In addition, modifications were implemented for the following rules:*

Rule 11 - Exemptions
Rule 13 - Compliance Time
Rule 41 - Annual Renewal Permit Fees
Rule 55 - Exceptions
Rule 57 - Open Fires
Rule 57.1 - Open Fires
Rule 58 - Incineration Burning
Rule 61 - Storage of Volatile Organic Compounds
Rule 63 - Volatile Organic Compound Loading Facilities

During the first half of the 1973-1974 fiscal year, modifications to rules for storage of volatile organic compounds (Rule 61) and volatile organic compound loading facilities (Rule 63) were implemented. In the last half of the 1973-1974 fiscal year, additional modifications to the rules' regulations were made for the application process and the standards for granting applications. Once again, modifications to Rules 61 and 63 for control of volatile organic compound storage and loading facilities were made. In addition, a new source review and prevention of significant deterioration rule was adopted in March 1974. On May 22, 1974, Regulation IX concerning public records and the declaration of trade secrets and confidential information became effective.

In the last quarter of 1974, the District adopted Regulation VIII, the San Diego Air Pollution Emergency Plan. The plan set forth what constitutes episode stages, criteria levels, areas affected, actions to be taken, monitoring stations, and procedures and plans.

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*An index of current rules and regulations is presented in Appendix A.

Two revisions to the rules and regulations were implemented during the last half of the 1974-1975 fiscal year. The effect of the revisions was to exempt additional equipment from permit requirements for organic solvents. The revisions also added to the rules provisions required by the EPA California Transportation Control Plan. A rule was also adopted which exempted persons holding permits to operate for gasoline vapor control equipment from permit renewals in 1975.

Rule 63 covering volatile organic compound loading facilities was again revised in the 1975-1976 fiscal year, as were criteria levels for the emergency episode (Rule 128) in Regulation VIII. Exemptions to the rules and regulations were revised and became effective on April 16, 1975. Rule 5 established authority to arrest a person without a warrant if it was believed that person had committed a misdemeanor in an inspector's presence that was a violation of the District rules and regulations. An example would be refusing to abate a violation. It became effective on March 24, 1976.

During the first half of the 1976-1977 fiscal year, revisions were made to definitions and standard conditions. Effective on November 8, 1976, the District was delegated enforcement authority for the Standards of Performance for New Stationary Sources (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAPS). These Standards were incorporated into the Rules and Regulations of the District as Regulations X and XI, respectively. During the same time frame, revisions to the regulations were made instituting minor revisions and also specifically addressing best available air pollution control technology. Further restrictions were placed on the construction of new sources by the amendment of the prevention of significant deterioration clause.

In the last quarter of the 1976-1977 fiscal year, a number of rules were repealed, revised, or adopted which affected minor changes to bring the rules up-to-date. In addition, standards of performance for two additional categories of sources subject to NSPS were adopted. Other significant changes included performance standards for gasoline vapor recovery systems, the implementation of continuous emission monitoring requirements, and the update of the San Diego Air Pollution Emergency Plan with State requirements. Also worthy of note were the amendments to two rules increasing permit and hearing board fees by approximately 110 percent.

In the first half of the 1977-1978 fiscal year, rules were revised or adopted for an NSPS and NESHAPS category and organic solvents and architectural coatings containing organic solvents. Other revisions worthy of note included amendments to hearing board fees and requests for hearings procedures. In addition, provisions for emergency process variances and emergency variance provisions for breakdown conditions were adopted. Emission limitations were modified for several NESHAPS categories, and the permit fee schedule was revised.

The rules and regulations of the District were updated in July 1978. At present, they are organized into 11 regulations which address major categories of responsibility as noted below.

Regulation I	General Provisions
Regulation II	Permits
Regulation III	Fees
Regulation IV	Prohibitions
Regulation V	Procedure Before the Hearing Board
Regulation VI	Burning Control
Regulation VII	Validity and Effective Data
Regulation VIII	San Diego Air Pollution Emergency Plan
Regulation IX	Public Records
Regulation X	Standards of Performance for New Stationary Sources
Regulation XI	National Emission Standards for Hazardous Air Pollutants

Within each regulation, separate rules address specific areas of concern. A brief description of the rules is contained in Appendix A.

Revisions to the regulations are approached in two different ways. When the revisions affect the District as a whole, as in administrative or permit procedures, they are generally adopted and implemented without input from industry. When new rules or revisions to existing rules are proposed which affect industry and require a change to process operations or control equipment, a series of procedures are followed which usually take 3 to 6 months for completion. A draft of the addition or revision is prepared by the District staff and is submitted to a Community Resources Panel consisting of approximately 30 members of the community representing industry, professionals, and public and private organizations. (Refer to Section 3.1.) Industries affected by the addition or revision are advised of the proposed changes to the regulation and invited to attend scheduled workshops to discuss the impact of the proposed change and to get input from the industries affected by trade organizations and individual representatives from companies.

Summaries of the results of the workshops are presented to the District staff for consideration when preparing the final draft of the revision. The final draft is then resubmitted to the Community Resources Panel for review before it is submitted to the County Board of Supervisors. The office of the Board of Supervisors advertises information concerning the regulation, and advises of a public hearing to be held regarding the change, at least 30 days prior to the hearing. In addition, letters advising affected sources of the public hearing are sent from mailing lists compiled by the District and trade organizations. After the public hearing has been held, letters advising of the change are sent to sources affected by the action. If a source is out of compliance with the new ruling, and must make modifications to the process or control equipment, a compliance schedule is submitted to the Hearing Board and a variance is granted (refer to Section 3 for additional information).

2.3 ORGANIZATION

The District staff grew from 11 positions in the 1969-1970 fiscal year to 104 positions during the 1977-1978 fiscal year. Although there were no organizational charts until the 1971-1972 fiscal year, there was some organization along functional lines. Staffing levels by function prior to the 1971-1972 fiscal year and by organization chart for the 1971-1972 and subsequent fiscal years appear in Table 2-1, District Staff Level Summary.

Acting under a countywide reorganization plan in November of 1971, the County Board of Supervisors established a new organizational entity, the Health Care Agency. With the creation of this agency, the activities of several county agencies, including the Department of Public Health, were consolidated and coordinated. It was at this point that the District was reclassified from a service-level unit in the Department of Public Health to a bureau-level unit in the newly formed Health Care Agency. Although the Bureau was reorganized into sections according to function, an official designation of organizational recognition had not been made.

Due to the rapid expansion of the Bureau, plans were being developed to replace the Bureau with a new division-level organization. These proposed plans were implemented during the 1972-1973 fiscal year with previously classified divisions designated as bureaus within the newly formed division.

The organizational structure of the District through the 1972-1973 fiscal year included three technical service sections: (1) Engineering, (2) Enforcement, and (3) Air Monitoring and Technical Services. During the 1973-1974 fiscal year, an environmental management specialist was added as part of the administrative group.

Table 2-1. DISTRICT STAFF LEVEL SUMMARY[a]

Department / Fiscal Year	1977-1978	1976-1977	1975-1976	1974-1975	1973-1974	1972-1973	1971-1972	1970-1971	1969-1970
District Administration	4	4	4	4	4 (+ 33%)	3 (+50%)	2	2	-
Administrative Services	13 (-19%)	16 (+ 7%)	15 (+25%)	12 (+71%)	7 (+ 40%)	5 (+67%)	3[b]	3[b]	-
Engineering	31 (+11%)	28 (-10%)	31 (+44%)	16 (-11%)	18 (+ 29%)	14 (+75%)	8 (+100%)	4	-
Surveillance and Enforcement	15	15 (- 6%)	16 (+14%)	14 (+ 8%)	13	13 (+44%)	9 (+ 50%)	6	-
Monitoring and Technical Services	29 (+16%)	25 (+19%)	21 (+31%)	16 (+45%)	11 (+ 22%)	9 (+29%)	7 (+133%)	3[c]	-
Air Resources Planning and Special Projects[e]	12 (+ 9%)	11 (+57%)	7 (+40%)	5	5 (+150%)	2[c]	-	-	-
Total Staff	104 (+ 5%)	99 (+ 5%)	94 (+40%)	67 (+16%)	58 (+ 26%)	46 (+59%)	29 (+ 61%)	18 (+64%)	11

[a] Data compiled from organization charts and ARB subvention forms

[b] Clerical

[c] Public Information Section

[d] Industrial Hygiene

[e] This group was not formed until fiscal year 1974-1975. Individual members were part of management prior to that, but are noted here due to function

Note: Staffing levels are noted by function prior to the 1971-1972 fiscal year, and by organization chart for the 1971-1972 and subsequent fiscal years.

In addition, an Industrial Hygiene Service was implemented as part of the administration to provide surveillance of occupational health hazards, and to insure the maintenance of healthful and sanitary employment conditions.

In 1975, the Air Pollution Control division was administratively separated from the Department of Public Health. During the 1975-1976 fiscal year, the new Division of Air Resources Planning and Special Projects was implemented.

Charts showing the development of the District in terms of functional staff levels and of formal organization are contained in Appendix C. These charts illustrate the proposed organization for the 1970-1971 fiscal year, document the changes in the administrative level incurred by the creation of the Health Care Agency during the 1971-1972 fiscal year, and show the placement of the Industrial Hygiene Service during the 1973-1974 fiscal year. During the 1975-1976 fiscal year, three organization charts were available representing growth levels and reorganization during the year. The organization of the District did not change radically during the 1976-1977 fiscal year, hence the organization chart for.fiscal year 1977-1978 is also representative of the structure of the previous year.

2.3.1 BUREAU OF ENGINEERING

Activity levels of the Engineering Bureau were increasing due to modifications of the rules and regulations which expanded their application to industrial sources. A summary of the activities of the Bureau of Engineering through the 1972-1973 fiscal year is presented in Table 2-2.

Table 2-2. BUREAU OF ENGINEERING ACTIVITY LEVELS THROUGH 1972-1973[a]

Activity	Activity Units		
	1970-1971	1971-1972	1972-1973
Number of compliance schedules reviewed	-	-	5,600
Number of plans and specifications reviewed	364	620	427
Number of permit applications processed	364	620	427
Number of site inspections, permit followup	220	410	286
Number of source check lists prepared	-	-	10
Number of petitions answered	38	42	54
Number of Hearing Board meetings attended and prepared for	38	42	54
Number of court cases attended and prepared for	-	-	4
Training and orientation			
Number of new employees trained	3	3	10
Number of refresher events	6	12	15
Number of emission inventories prepared	-	1	2
Number of special engineering studies prepared	-	-	6
Number of source tests assisted			
Conventional	-	-	18
Special	-	-	29
Number of program plans and budgets assisted	1	3	4
Consultation with public (telephone and in person)	2,480	4,520	10,060
Number of manuals/guidelines developed	2	2	8
Number of activity reports prepared	10	18	18
Number of impact studies assisted	-	-	28
Number of new or revised rules development assistance	1	7	4
Permits renewed	-	-	1,092

[a] Data compiled from 1972-1973 ARB subvention form

A summary of permit activity levels within the Bureau of Engineering through 1973 is presented in Table 2-3.

Activity levels of the Bureau of Engineering during the 1973-1974 fiscal year are shown in Table 2-4.

As can be seen by comparing Tables 2-2, 2-3, and 2-4, there was no reported activity of compliance schedules reviewed during the 1970-1971 and 1971-1972 fiscal years. However, during the 1972-1973 fiscal year, 5,600 compliance schedules were reviewed. This activity dropped by 73 percent to a level of 1,500 compliance schedule reviews during the 1973-1974 fiscal year.

Table 2-3. BUREAU OF ENGINEERING PERMIT ACTIVITY SUMMARY THROUGH 1973[a]

Activity	1969	1970	1971	1972	1973
1. Applications received (by rule number)					
a. A/C 61-63 (gasoline)					1,391
66 (chemical)					32
Other (mechanical)					69
b. P/O 61-63					1,402
66					414
Other					301
Total	254	413	557	403	3,609
2. Permits issued (by rule number)					
a. A/C 61-63					410
66					29
Other					234
Total	118	261	524	451	1,015
3. Permits denied	4	32	51	44	26
4. Permits revoked or retired	0	0	0	1	140
5. Applications cancelled	4	28	29	10	37
6. Applications pending (by rule number) (A/C and P/O)					
61-63					2,308
66					185
Other					116
Total	128	220	173	72	2,609
7. Permit units in operation	98	330	714	1,092	1,474

[a] Data from 1973-1974 ARB subvention form

Note: An index of rules is presented in Appendix A

Table 2-4. BUREAU OF ENGINEERING ACTIVITY SUMMARY, 1973-1974[a]

Activity	1973 - 1974		
	1st Half	2nd Half	Total
Number of compliance schedules reviewed	1,000	500	1,500
Number of plans and specifications reviewed	2,000	2,000	4,000
Number of permit applications processed	2,000	2,000	4,000
Number of site inspections, permit followup	1,500	3,000	4,500
Number of source check lists prepared	5	5	10
Number of petitions answered	30	50	80
Number of Hearing Board Meetings attended and prepared for	10	10	20
Number of court cases attended and prepared for	1	5	6
Training and orientation			
a. Number of new employees trained	4	4	8
b. Number of refresher events	12	12	24
Number of emission inventories prepared	-	1	2
Number of special engineering studies prepared	12	12	24
Number of source tests assisted			
a. Conventional	12	24	36
b. Special	50	100	150
Number of program plans and budgets assisted	1	2	3
Consultation with public (telephone and in person)	6,000	8,000	14,000
Number of manuals/guidelines developed	-	6	6
Number of activity reports prepared	32	32	64
Number of impact studies assisted	-	2	2
Number of new or revised rules development assistance	1	3	4
Permits renewed	-	1,448	1,448

[a] Data from 1973-1974 ARB subvention form

An increase of more than 900 percent occurred in the number of plans and specifications reviewed and applications received during the 1972-1973 and 1973-1974 fiscal years. In conjunction with the decrease in compliance schedules reviewed, and the increase of permit applications and their review, it is apparent that the Bureau of Engineering was mainly involved in establishing the compliance status of industry and upgrading control equipment where necessary to bring sources into compliance.

This increase of activity was in large part due to the previously mentioned expansion of the rules and regulations. In addition, since 1973, the District had been reviewing and commenting on Environmental Impact Reports (EIR), general plans, and other private projects. Approximately 150 to 350 of these projects are reviewed each year. The District had also developed guidelines for writing air quality sections in EIR's.

Activity levels of the newly designated Division of Engineering during the 1974-1975 fiscal year are depicted in Table 2-5.

Table 2-5. DIVISION OF ENGINEERING ACTIVITY, 1974-1975[a]

Activity	Activity Units
Number of compliance schedules reviewed	600[b]
Number of plans and specifications reviewed	1,500[b]
Number of permit applications processed	2,422
Number of site inspections permit followup	1,250
Number of source check lists prepared	5
Number of petitions (Hearing Board) answered	200
Number of Hearing Board Meetings attended and prepared for	12
Number of court cases attended and prepared for	2
Training and orientation	
a. Number of new employees trained	1
b. Number of refresher events	26
Number of emission inventories prepared (update)	1
Number of special engineering studies prepared	12
Number of source tests assisted	
a. Conventional	25
b. Special	500[b]
Number of program plans and budgets assisted	1
Consultation with public (telephone and in person)	7,000[b]
Number of manuals/guidelines developed	0
Number of activity reports prepared	32
Number of impact studies assisted	2
Number of new or revised rules development assisted	2
Permits renewed. (This occurs in 2nd half of fiscal year.)	0

[a] Data from 1974-1975 ARB subvention form

[b] Estimate based on average daily work load

The 60 percent decrease in compliance schedules reviewed from the 1973-1974 fiscal year to the 1974-1975 fiscal year indicates the Division of Engineering was approaching its goal of controlling emissions from existing, new, and potential sources of pollution. This is also reflected in the 63 percent decrease in the number of plans and specifications reviewed, and the 39 percent decrease in the number of permit applications processed.

The reporting format for this report underwent a change during the 1973-1974 fiscal year through the 1975-1976 fiscal year. During the first two fiscal years, the data were reported in the previously presented format as well as the new format. In the 1975-1976 and subsequent fiscal years, the data were reported in the new format in the state subvention forms. These data are presented in Table 2-9.

2.3.2 BUREAU OF SURVEILLANCE AND ENFORCEMENT

Activity levels of the Bureau of Surveillance and Enforcement were also increasing due to the modifications of the rules and regulations expanding their application to industrial sources. Summarized enforcement permit activity levels prior to 1972, and specific permit activity levels for 1972 and 1973 were available for the Bureau of Surveillance and Enforcement. These figures are presented in Table 2-6. Note that the number of complaints investigated exceeds the number of complaints received. The customary practice in San Diego is to visit a source several times after a complaint has been registered. Each of these visits is considered a complaints investigation.

Table 2-6. ENFORCEMENT ACTIVITY SUMMARY THROUGH 1973[a]

Category	Prior to 1972	1972	1973
Field Activities			
Permit support	6,007	4,648	3,619
Complaints received	1,391	472	487
Complaints investigations	4,501	1,756	1,741
Surveillance investigations	16,418	16,753	15,580
Results			
Verbal/written warnings	233	0	0
First notice of violation	155	71	78
Second notice of violation	8	15	18
Third (or more) notices	6	16	18
No Burn Days - San Diego Basin	12	11	92
No Burn Days - Southeast Desert	0	0	20
Office Conferences			52
Legal Activity			
Cases filed	0	5	12
Cases completed	0	3	2

[a] Data from 1973-1974 ARB subvention form

Although specific yearly data were not available prior to the 1972 fiscal year, they were available for the 1972 and 1973 fiscal years. Comparison of the data indicates that in 1972 permit support activities equalled 77 percent of all such activities performed prior to that year. In the following year, that activity level decreased by 22 percent. The level of surveillance inspections during 1972 excluded the total number of inspections prior to that year. During 1973, that activity level decreased by 7 percent. When these figures are compared to the activity levels of the Engineering Division, it can be seen that the Enforcement Division was working with them to establish the compliance status of sources within the district, and to inspect the sources for progress on compliance schedules. In addition, when one compares the results of the enforcement program, a change in approach can be detected. Prior to 1972, verbal and written warnings were issued and then followed by notices of violation. During 1972 and 1973, there were no warnings issued but notices of violation were issued. By these figures, it is apparent that the Enforcement Division was concentrating more on enforcement activities and were initiating legal prosecution. This is reinforced one notes that there were no court cases filed prior to 1972, and that activity level increased by 140 percent from 1972 to 1973. Also worthy of note is that in 1973 there were 52 office conferences held between sources and district staff as opposed to none in previous years. These conferences were primarily concerned with compliance schedules.

Table 2-7. BUREAU OF SURVEILLANCE AND ENFORCEMENT ACTIVITY, 1973-1974[a]

Activity	Units
Permit processing	2533
Complaint investigation	1685
Notices of violation	172
Cases filed	15
Convictions	15

[a] Data from 1974-1975 ARB subvention form

During the 1973-1974 fiscal year (see Table 2-7), the amount of permit processing decreased by about a third. There was 50 percent increase in notices of violation issued and a modest increase in the number of court cases.

Activity levels were reported for the Bureau of Surveillance and Enforcement for 1974-1975 as noted by Table 2-8.

Table 2-8. DIVISION OF SURVEILLANCE AND ENFORCEMENT, 1974-1975[a]

Activity	Units
Permit processing	1615
Complaint investigation	1483
Notices of violation	204
Cases filed	2
Convictions	3

[a] Data from 1974-1975 ARB subvention form

During the 1974-1975 fiscal year, the activity of the Enforcement Division dropped in nearly all levels as compared against the previous year. Permit processing decreased by 59 percent, the number of complaints investigated decreased by 54 percent, and the number of source investigations dropped by a dramatic 70 percent. At the same time, the number of notices of violation issued decreased by 54 percent, however, the number of court cases filed only dropped by 30 percent. These declines in activity can be correlated with the revisions to the rules exempting some sources from their application, and the revisions exempting permit renewals for gasoline vapor recovery equipment. Prior to this point in time, the district had been concentrating on the permitting of facilities. Having substantially accomplished this aim, the district shifted their emphasis in 1974-1975 to the maintenance aspects of previously permitted facilities.

As was mentioned previously, the reporting formats for district activity levels were changing. In the 1974-1975 and subsequent fiscal years, the data were reported in the new format in the state subvention forms. A summary of district activity levels reflecting the efforts of both the Division of Engineering and the Division of Surveillance and Enforcement is noted in Table 2-9.

Due to the changing emphasis on activity levels reported by the ARB subvention forms for the Divisions of Engineering and Enforcement during the 1973-1974 through the 1975-1976 fiscal years, direct comparison of previously reported information cannot be made with the subsequently reported information. Table 2-10 is a consolidation of information reported during the 1974-1975 and later fiscal years. The number of authorities to construct and permits to operate processed during each fiscal year represent activity within the Division of Engineering, while the permit inspections and source tests represent activity within the Divison of Surveillance and Enforcement.

Table 2-9. SUMMARY OF DISTRICT ACTIVITIES[a]

Category	1973-1974	1974-1975	1975-1976	1976-1977	1977-1978
Permit Activities					
Facilities under permit to operate District's definition of a source (i.e., a unit for which a permit or an authority to construct is issued; e.g., facility, process line, emission point, control equipment, etc.) Independent emitting equipment or process line				1,189	1,477
Sources under permit to operate	--	2,999	3,121	2,650	3,096
Sources under variance	--	1,310	295	78	565
Permits to operate pending at the beginning of fiscal year	N/A	1,124	718	316	1,125
Permits to operate requested during fiscal year	3,408	2,090	744	1,008	674
Permits to operate issued during fiscal year	782	1,204	544	431	776
Permits to operate denied during fiscal year	1,751	411	2	8	42
Permits to operate pending at end of fiscal year	N/A	708	1,052	856	981
Authorities to construct pending at beginning of fiscal year	N/A	1,124	385	50	693
Authorities to construct requested during fiscal year	2,635	1,186	351	623	463
Authorities to construct issued during fiscal year	731	827	99	298	880
Authorities to construct denied during fiscal year	1,751	829	11	3	16
Authorities to construct pending at end of fiscal year	N/A	384	665	373	260
Enforcement Activities					
Comprehensive permit issuance/renewal inspections	1,121	1,945	1,610	1,579	1,669
Other documented onsite inspections	1,956	2,504	1,926	4,223	8,688
Other documented field observations	17,856	18,231	12,837	7,902	2,337
Complaints received	490	376	383	401	439
Complaints investigated	1,685	1,483	383	401	437
Violation notices or written warnings issued (nonvehicular)					
Open burning	--	0	--	1	4
Permit requirements Prohibitions } not separated in our statistics	172	204	352	529	560
Citations issued (notices to appear - nonvehicular)	--	--	--	--	--
Open burning	--	--	--	0	0
Permit requirements	0	--	--	3	1
Prohibitions	--	--	--	0	2
Vehicular enforcement actions	0	--	0	0	0
Upset/breakdowns reported	1	8	0	1	1
Upset/breakdowns verified	N/A	--	--	1	1
Office conferences generated by violations	84	47	23	17	18
Violation notices referred to the District Attorney or County Counsel	19	12	15	27	51
Court cases filed	15	2	9	19	13
Convictions	15	3	3	11	14
Fines levied ($)	N/A	$75	$200	$1,700	$1,355
Source tests to establish compliance					
Performed by District personnel or District's consultant	37	4	57	78	112
Performed by source personnel or source's consultant	201	N/A	--	13	56
Other source tests (by methods not adequate to establish compliance)	N/A	N/A	1	1	5

N/A = Not available

[a] Data from 1973-1974 through 1977-1978 ARB subvention forms

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Table 2-10. CONSOLIDATED SUMMARY OF DISTRICT ACTIVITIES

Category \ Fiscal Year	1974-1975	1975-1976	1976-1977	1977-1978
Authorities to construct processed	1,656	110	301	896
Permits to operate processed	1,615	546	439	818
Comprehensive permit inspections	1,945	1,610	1,579	1,669
Source tests performed	4	57	78	112

There was a dramatic 93 percent decrease in the number of authorities to construct processed during the 1975-1976 fiscal year as compared to the previous year. Similarly, but not as pronounced, there was a 66 percent decrease in the number of permits to operate processed during the 1975-1976 fiscal year.

These decreases are in part attributable to the revisions to the rules and regulations late in the 1974-1975 fiscal year which exempted additional equipment from permit requirements for organic solvents, and the adoption of a rule exempting persons holding permits to operate for vapor recovery equipment from permit renewal requirements during 1975. During the 1975-1976 fiscal year, permit inspections decreased by 17 percent from the previous years level. This decrease is also attributable to the revisions of the rules and regulations. Source testing by the District increased from 4 tests during the 1974-1975 fiscal year to 57 tests during the 1975-1976 fiscal year, for a dramatic 1,325 percent. This increase reflects the change in the District's emphasis from permitting sources to a maintenance approach.

During the 1976-1977 fiscal year, there was a 174 percent increase in authorities to construct, and a 20 percent decrease in permits to operate processed compared to the previous year. Enforcement authority for NSPS and NESHAPS was delegated to the District during the 1976-1977 fiscal year and was partly responsible for the increase in authorities to construct and the decrease in permits to operate due to the regulations more stringent emission levels. In addition, a clause was adopted which provided for best available control technology. Comprehensive permit inspections remained at relatively the same level with a 2 percent decrease. The emphasis on the maintenance approach of the District and its confirmation of compliance status is reflected in the 37 percent increase in source tests over the previous fiscal year.

The number of authorities to construct during the 1977-1978 fiscal year increased by 198 percent over the previous year, and the number of permits to operate processed increased by 86 percent. These increases reflect the modifications to the rules and regulations for performance standards of gasoline vapor recovery systems and emission levels of organic solvents. Permit inspections remained at relatively the same level of the previous year with a 6 percent increase. Source testing registered a 44 percent increase over the previous year as additional emphasis is placed on quantitative compliance status determinations.

2.3.3 BUREAU OF AIR MONITORING AND TECHNICAL SERVICES

In 1956, the County installed an ambient air monitoring station in downtown San Diego. Available records indicate that oxidant levels were measured using the potassium iodide (KI) method. These measurements continued in 1957, when records indicate that measurements of nitric oxide and nitrogen dioxide levels were added. Hi-vol samples were started at the downtown station and at the El Cajon station in 1957. Soiling index samples based on the reduction of light transmitted through filter samples (COH units) were started in 1959 for the downtown station and in 1960 for the El Cajon station (see Figure 2-3).

An air monitoring station that measured oxidants using the KI method was added in the Oceanside-Carlsbad area in 1962. During the same year, the downtown station was modified to include measurement of carbon monoxide and carbon dioxide levels. In 1963, the San Diego-Chollas Heights station became operational measuring KI oxidants, and the Nestor station began the same measurement in 1964. The San Diego Mission Valley monitoring station came on line in 1966, measuring KI oxidants, nitric oxide, and nitrogen dioxide levels. Hydrocarbon measurements were started at the downtown station in 1965.

The air monitoring network remained unchanged during the 1970-1971 fiscal year, with the exception of purchasing a new instrument to measure oxidants, nitric oxide, and nitrogen dioxide. The new instrument was installed in the main station; the instrument it replaced was refurbished and installed in the Oceanside station.

The District purchased and installed nitric oxide and nitrogen dioxide measuring instruments for the El Cajon station in February 1972. In addition, two sulfur dioxide measuring instruments were purchased and installed.

During the 1972-1973 fiscal year, no significant changes to the air monitoring network were made. A summary of total instrument months of operation for the air monitoring network for fiscal years 1970-1971 through 1972-1973 is given in Table 2-11. The number of stations operating per instrument, where available, are noted in parentheses.

During the 1972-1973 fiscal year, the Air Monitoring and Technical Services Division performed 20 source tests, reviewed 30 source tests, performed 40 laboratory support tests for the Engineering Division , and was involved in 30 industrial hygiene cases.

Six permanent stations were operating during the 1973-1974 fiscal Year. Units of activity performed were available as shown in Table 2-12 for the 1973-1974 fiscal year. The number of stations operating per instrument month, where available, are noted in parentheses.

The Bureau of Monitoring and Technical Services performed 37 source tests, reviewed 45 source tests, performed 40 laboratory support tests, and performed 20 industrial hygiene services. The Bureau also prepared 12 monthly air quality reports, four quarterly air quality reports, and one annual air quality report. The Bureau also prepared seven miscellaneous air quality reports during the 1973-1974 fiscal year.

During the 1974-1975 fiscal year the Kearney Mesa and Escondido stations were opened bringing the total to 8 permanent stations operating. The months of instrument operation for the fiscal year are noted in Table 2-13. The number of stations operating per instrument month, where available, are noted in parentheses. The Bureau of Monitoring and Technical Services performed four source tests and also 35 laboratory support tests for the Engineering Bureau during the 1974-1975 fiscal year. The Bureau also released 52 weekly, 12 monthly, four quarterly, one annual, and 10 other air quality reports.

One complete station was closed and a partial station was opened during the 1975-1976 fiscal year. The months of instrument operation for the fiscal year are noted in Table 2-14. The number of stations operating per instrument month, where available, are noted in parentheses.

The Division of Monitoring and Technical Services performed 57 source tests and prepared 52 weekly, 12 monthly, four quarterly, and one annual air quality report.

Table 2-11. TOTAL MONTHS OF OPERATION OF SAN DIEGO APCD AIR MONITORING NETWORK, 1970-1973[a]

Air Monitoring	Total Months of Operation		
	1970-1971	1971-1972	1972-1973
Wind speed/direction	48 (4)	44 (5)	50 (6)
Oxidant	71 (6)	76 (8)	74 (7)
Oxides of nitrogen	24 (2)	29 (3)	36 (4)
Nitrogen dioxide	24 (2)	29 (3)	36 (4)
Total hydrocarbon	12 (1)	12 (1)	24 (2)
Carbon monoxide	12 (1)	12 (1)	26 (3)
Methane	-	-	24 (2)
Sulfur dioxide	-	7 (2)	24 (3)
AISI (Particulates)	24 (2)	24 (2)	36 (4)
Hi-Vol (Particulates)			
Total samples	52 (2)	140 (2)	219 (4)
Lead - Total samples	-	16	52
Radiological samples			
Total samples	260	260	251

[a] Data from 1974-1975 ARB subvention form

Table 2-12. TOTAL MONTHS OF OPERATION OF SAN DIEGO APCD AIR MONITORING NETWORK, 1973-1974[a]

Air Monitoring	Total 1973-1974 Months of Operation
Wind speed/direction	61 (7)
Oxidant	84 (7)
Oxides of nitrogen	48 (4)
Nitrogen dioxide	48 (4)
Total hydrocarbon	48 (5)
Carbon monoxide	48 (5)
Methane	48 (5)
Sulfur dioxide	36 (3)
AISI (Particulates)	48 (4)
Hi-Vol (Particulates)	
Total samples	292 (4)
Lead - Total samples	104
Radiological samples	
Total samples	251

[a] Data from 1974-1975 ARB subvention form

Table 2-13. TOTAL MONTHS OF OPERATION OF SAN DIEGO APCD AIR MONITORING NETWORK, 1974-1975[a]

Air Monitoring	Total 1974-1975 Months of Operation
Wind speed/direction	92 (8)
Oxidant	94 (8)
Oxides of nitrogen	82 (8)
Nitrogen dioxide	82 (8)
Total hydrocarbon	83 (7)
Carbon monoxide	83 (7)
Methane	83 (7)
Sulfur dioxide	64 (6)
AISI (Particulates)	83 (7)
Hi-Vol (Particulates) Total samples	409 (7)
Lead - Total samples	-
Radiological samples Total samples	185

[a] Data from 1974-1975 ARB subvention form

Table 2-14. TOTAL MONTHS OF OPERATION OF SAN DIEGO APCD AIR MONITORING NETWORK, 1975-1976[a]

Air Monitoring	Total 1975-1976 Months of Operation
Wind speed/direction	84 (9)
Oxidant	84 (8)
Oxides of nitrogen	75 (8)
Nitrogen dioxide	84 (8)
Total hydrocarbon	84 (8)
Carbon monoxide	84 (8)
Methane	84 (8)
Sulfur dioxide	71 (6)
AISI (Particulates)	84 (7)
Hi-Vol (Particulates)	18.8 (7)
Lead	9.4 (3)

[a] Data from 1975-1976 fiscal year instrument hour records

Efforts were directed to increase the quality assurance program for the air monitoring network. Funding was not allocated for the proposed expansion of the network during the 1976-1977 fiscal year. However the Alpine station was expanded to five instruments. Months of instrument operation throughout the air monitoring network for the 1976-1977 fiscal year are noted in Table 2-15. The number of stations operating per instrument month, where available, are noted in parentheses.

Table 2-15. TOTAL MONTHS OF OPERATION OF SAN DIEGO APCD AIR MONITORING NETWORK, 1976-1977[a]

Air Monitoring	Total 1976-1977 Months of Operation
Wind speed/direction	84 (7)
Oxidant	86 (8)
Oxides of nitrogen	84 (7)
Nitrogen dioxide	84 (7)
Total hydrocarbon	84 (7)
Carbon Monoxide	86 (8)
Methane	84 (7)
Sulfur dioxide	69 (6)
AISI (Particulates)	84 (7)
Hi-Vol (Particulates)	22.1 (8)
Lead	8.2

[a] Data from 1976-1977 fiscal year instrument hour records

The Division of Marketing and Technical Services performed 78 source tests, and reviewed 13 source tests during the 1976-1977 fiscal year. In addition, the Division prepared 52 weekly, 12 monthly, four quarterly, and one annual report during the year.

During the 1977-1978 fiscal year, there were no major modifications to the air monitoring network with seven major stations, and one partial station. The instrument activity level for that period is noted in Table 2-16. The number of stations operating per instrument month, where available, are noted in parentheses.

Table 2-16. TOTAL MONTHS OF OPERATION OF SAN DIEGO APCD AIR MONITORING PROGRAM, 1977-1978[a]

Air Monitoring	Total 1977-1978 Months of Operation
Wind speed/direction	98 (9)
Oxidant	98 (9)
Oxides of nitrogen	153 (13)
Nitrogen dioxide	153 (13)
Total hydrocarbon	81 (7)
Carbon monoxide	81 (7)
Methane	81 (7)
Sulfur dioxide	121 (11)
AISI	81 (7)
Hi-Vol (Particulates)	27.7 (13)
Lead	3.8 (2)

[a] Data from 1977-1978 fiscal year instrument hour records

The Monitoring and Technical Services Division performed 112 source tests, monitored 56 source tests, and performed 5 miscellaneous tests. In addition, the Division released 52 weekly, 12 monthly, four quarterly, and one annual air quality report.

Figure 2-3 is a map of the district showing the location of eight monitoring station locations during 1977.

2.4 MANPOWER

The following paragraphs describe each of the divisions within the District as it is presently structured. Also discussed are the qualifications and duties of each position within the respective divisions.

The Chief of the Division of Surveillance and Enforcement (1)* is responsible for planning and administering the functions and activities of the Division. As such, he or she provides direction to

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*The figures in parentheses indicate the number of funded positions.

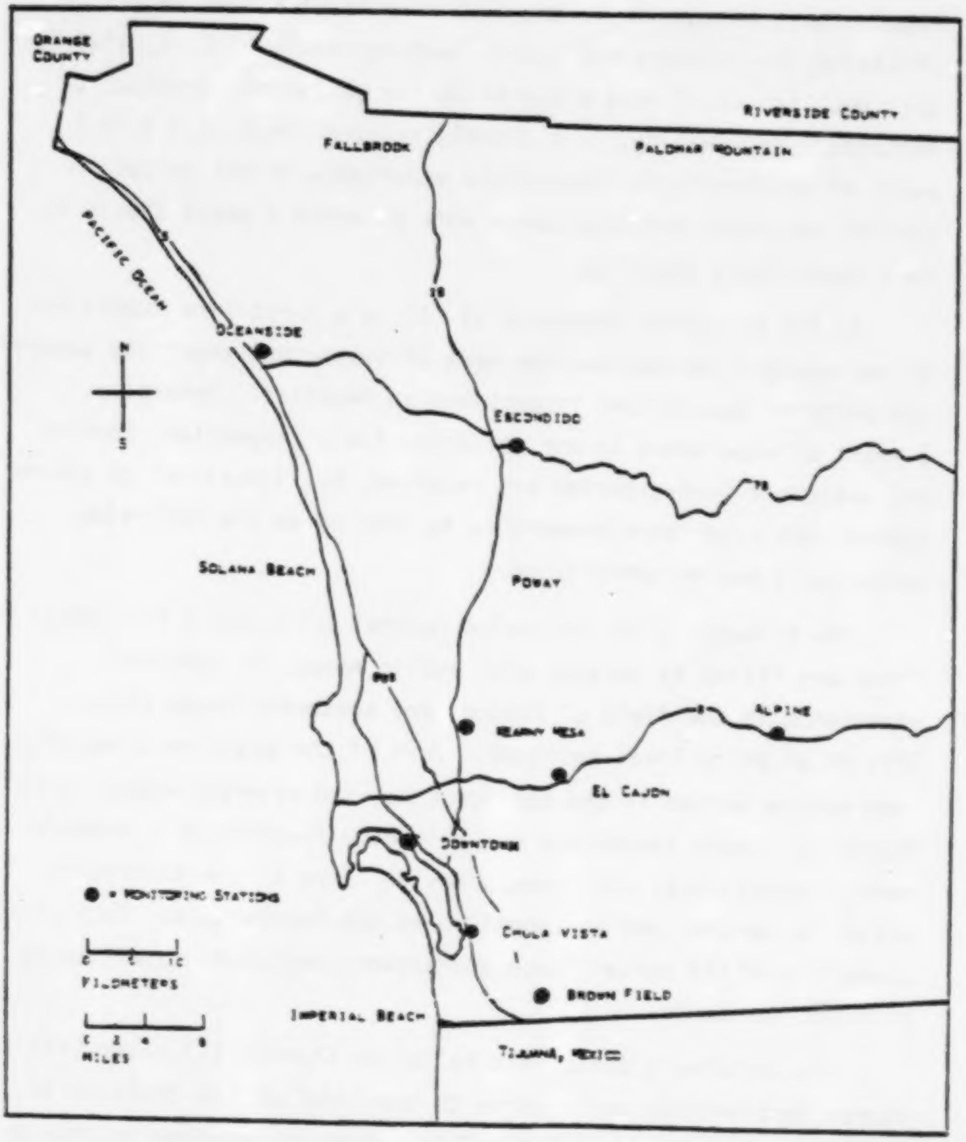

ORANGE COUNTY
RIVERSIDE COUNTY
FALLBROOK
PALOMAR MOUNTAIN
PACIFIC OCEAN
5
15
OCEANSIDE
N
S
ESCONDIDO
78
SOLANA BEACH
POWAY
805
KEARNY MESA
8
ALPINE
EL CAJON
DOWNTOWN
● = MONITORING STATIONS
CHULA VISTA
1
0 5 10
KILOMETERS
BROWN FIELD
IMPERIAL BEACH
0 2 4 8
MILES
TIJUANA, MEXICO

Figure 2-3. Air Monitoring Station Locations, 1977

the field supervisors, develops and interprets District Rules and Regulations, recommends to the APCO when legal action should be initiated, and manages the source testing section. Candidates for this position shall hold a degree in air pollution, chemical or mechanical engineering, or a closely related field, and 3 to 5 years of progressively responsible experience in air pollution control abatement and compliance work of which 2 years should be in a supervisory capacity.

An Air Pollution Inspector II (3) is a first-line supervisor. He or she assigns and reviews the work of inspectors under the supervisor and performs specialized inspections as required. Generally, 2 years of experience in air pollution field inspection, control and abatement investigation are required, but industrial or public agency work experience comparable to that of an Air Pollution Inspector I may be substituted.

The Division's Air Pollution Control Inspector I (11) positions are filled by persons with public agency or industry experience in the field of control and abatement inspections. This is an entry level position. Part of the experience requirement may be waived if the applicant has had relevant educational training. These inspectors are primarily involved with enforcement, surveillance, and inspections relative to the District's pollution control and abatement rules and regulations. They also conduct in-field surveillance and answer complaints submitted by District residents.

The Division's Senior Air Pollution Chemist (1) supervises the source test section and reports to the Chief of the Division of Surveillance and Enforcement. This person is required to have a degree in chemistry or a chosen related field with 2 years experience in a supervisory capacity.

The source testing staff is made up of three Instrument Technicians - Source Test Option and one Engineering Aide - CETA and are under the supervision of the Senior Air Pollution Chemist. They are required to have a technical background with knowledge and experience in industrial processes and source testing methods. This staff conducts the actual field source tests.

The Engineering Division enforces the District's emission standards through the administration of its permit system. The maintenance of this permit system involves the inspection and evaluation of operations proposed by industry to assure compliance with the District's rules and regulations. It is also a function of the Engineering Division to prepare and update the District's emission inventory, as well as prepare technical studies to improve its methods and approaches.

The Chief (1) of the Engineering Division is ordinarily required to have at least 5 years of technical administrative/management experience in the field. He or she is responsible for planning and administrative functions over the Division's personnel and activities, as well as being responsible for the Division's efficient management and the technical adequacy and effectiveness of his or her subordinates.

Senior Air Pollution Control Engineers (3) are required to possess education, training, and experience involving the application of professional level modern-day environmental pollution control engineering techniques, practices, and procedures. Their duties as project leaders for highly technical and specialized functions, consist primarily of field and plan evaluations of industrial processes, processing equipment, and facilities relating to their respective contaminant emissions capabilities.

Associate Air Pollution Control Engineers (9) report to the District's Senior Engineers. Under the Senior Engineers' supervision, they examine, evaluate, and approve equipment as operational according to the District's standards. They also perform inspections, engineering analysis of a source's operations, and prepare flow charts and drawings pertaining to the sources' atmospheric contaminant emissions capabilities. Air Pollution Control Engineers (3) occupy an entry level position which perform the same tasks as an Associate Engineer and requires essentially the same background but not as much relevant experience.

One Associate Engineer is designated as Hearing Board Liaison Officer. This is a professional-level position in which the engineer receives direction and supervision from the APCO. The position generally requires 4 or more years of responsible level experience in the air pollution control field, with 1 year as liaison with a quasi-judicial administrative agency. His or her duties include the review of all petitions and evidence offered before the Board, represents and advises the Hearing Board, and consults with the public on Hearing Board Rules and Regulations.

Engineering Aides (8) are employed to perform subprofessional engineering related duties. Under the direct supervision of an Engineer, they perform such entry level tasks as record keeping, acting as a Division Liaison representative dealing with the public, and routine engineering validation tasks.

It is the function of the Monitoring and Technical Services Division to monitor the air quality of the San Diego APCD through the installation, operation, and maintenance of air quality monitoring stations. This Division also provides laboratory analysis for the source test units, and forecasts air pollution levels and prepares regular and special air quality studies and reports from the data collected. The Monitoring and Technical Services Division also administers the APCD emergency contingency plan.

The Chief of the Monitoring and Technical Services (1) is required to have a degree in chemistry or chosen related field and 3 to 5 years of technical administrative experience, 2 years of experience should be in a supervisory capacity. He or she plans, directs, assigns, and reviews the work of professional, technical, and paraprofessional personnel in all areas of air quality monitoring and technical support activities. As Chief, he or she also initiates and supervises the development and implementation of technical methodologies, as well as work programs for the analysis of the air quality impacts from existing and proposed industrial operations.

Air Pollution Chemists (2) are generally required to have 1 year of professional level analytical chemical laboratory work experience involving the application of methods and techniques of analytical and scientific calculations and instrument analysis. It is the second level of the air pollution chemist series and requires that the chemist perform a moderately complex quantitative and qualitative chemical analysis and an evaluation of atmospheric contaminant values of air emissions of gas and particulates.

The Division's Junior Air Pollution Chemist (1) is required to possess essentially the same background and perform the same functions as an Air Pollution Chemist. Because this is an entry level position, less experience is required, and the Junior Chemist is generally assigned to work under the direct supervision of a Division Chemist.

Presently, the Division employs 2 meteorologists (2). He or she has the sole responsibility to continue studies and prepare summaries of current weather conditions, data, and statistics in order to refine and adapt the District's polltuion potential forecasting procedures. It is generally required that a candidate for this position have a degree in meteorology or a closely related field. He or she should also have a substantial amount (more than 2 years) of professional meteorological experience.

The Supervising Air Pollution Instrument Technician (1) serves as an overseer and qualitative standards supervisor for the Division's equipment and instrumentation operations, servicing methods, and practices. It is also his or her function to establish or assist the professional technical staff personnel in establishing test, measurement and analysis equipment, and instrumentation specifications. To qualify for the position, the supervisory candidate has to possess at least 2 years of industrial or public agency work experience involving the installation, servicing, and repair of the equipment and instruments used by the Division. In certain cases, a college level course study (30 semester units) in engineering, physics, or chemistry may be substituted for 1 year of required experience.

Six Instrument Technicians are under the supervision of the Supervising Air Pollution Instrument Technician. These technicians have essentially the same qualifications as their supervisor but are assigned to perform actual monitoring activities. They set up, service, fabricate, and repair the Division's air monitoring equipment, both in the field and in the laboratory.

The Division's Air Pollution Control Aide (1) reduces and verifies data collected by the Instrument Technicians and analyzes that data so that it can be converted into a usable form and applied in statistical reports. Generally, 2 years of college experience or 2 years of full-time work experience are required to qualify for this position.

The Junior Air Pollution Chemist (2) and the Engineering Aide (3) positions are discussed in the Engineering Division description.

The Air Resources and Special (Projects) Planning Division develops, integrates, and reviews the District's data management systems; develops and utilizes air diffusion modeling; and reviews and provides input to submitted environmental impact statements and reports. It is also th [illegible] and recommend changes to re [illegible] and develop processes for a [illegible]

The District's Research Analyst III (1) supervises a unit of an Air Resources Specialist, Engineers, and Environmental Management Specialists, and is in charge of the development and initiation of major research projects in support of the District's programs. The qualifications for this position include a bachelor's degree and 5 years of technical research experience; or a master's degree and 4 years experience; or a Ph.D. and 2 years experience. The required work experience must have included technical research in one or more of the following areas: health care, economics, social sciences, finance, planning, or physical and/or life sciences.

The District's Environmental Management Specialists (Trainee, I and II) (2) perform studies, develop recommendations, and assist in the implementation of regional waste management policies and procedures. The level II specialist acts as a representative to citizens' and governmental planning groups or to one or more incorporated cities within the District. He or she also prepares reports on environmental quality concepts, regulatory requirements and/or recommendations, and reviews and evaluates environmental impact statements for compliance with the District's standards and objectives. In addition, the Environmental Management Specialist II is in charge of coordinating and preparing the District's emission inventories, is one of the primary persons involved with future planning, and is the supervisor and team leader of the Air Resources Specialist.

As a mid-level supervisor, he or she directs level I and trainee specialists in their tasks. Minimum qualifications include a college degree with 3 years of experience in researching, evaluating, and preparing reports on physical elements, components or principles and their relationship to the preservation or improvement of the air quality. Other qualifications are a masters degree in lieu of 1 year's experience for the level II position, substantial college-level study at or near graduate level in the areas just described for the level I position, or just a college degree in a related field for a trainee.

An Associate Systems Analyst (1) is employed to analyze major systems and related records and procedures to determine the feasibility of installing electronic data processing methods. He or she is, in effect, responsible for the system's day-to-day operations. To qualify for this position it is required that the applicant possess 3 years of EDP systems experience working on business-oriented applications and programming.

Air Resources Specialists (2) perform professional air resources management and planning, including the development of comprehensive air quality emissions inventories. It is also his function to utilize modeling techniques for air quality projections, as well as air quality impact analysis. The applicant should have at least 1 year of recent, professional level air resources planning and management experience.

The Division's Programmer Analyst (I, II) (1) performs complex tasks in the analysis of EDP systems and prepares or modifies complex computer programs in both scientific and engineering applications. Qualifications range from 1 year of experience at a Programmer Analyst I level for the Analyst II position to 2 years of college level computer science study, or 2 years of work experience in the field for the level I position.

The Assistant Systems Analyst (1) and Systems Analyst Trainees (2) perform essentially the same duties. They are assigned to work on the design, installation, and maintenance of data processing systems and perform related duties. The Assistant Systems Analyst position requires that the individual have either a college degree in information systems or a closely related field with emphasis on data processing and/or systems analysis or 1 year of System Analyst Trainee level experience. The Trainee position, on the other hand requires only that the applicant possess the skills to learn the systems and procedures involving the application of electronic data processing.

The Air Pollution Control Engineer (1) position is discussed in the Engineering Division descriptions.

There are two levels of technical professional positions within the Administrative Service Division; the management level and the staff level. The management level consists of the Director of the Air Pollution Control Department who is also the Air Pollution Control Officer, and the Assistant Director of the Air Pollution Control Department. The staff level consists of the Technical Services Coordinator of the Department of Air Pollution Control, an Associate Air Pollution Control Engineer as the Hearing Board Liaison Officer (refer to Engineering Division personnel discussion), and a Health Educator (Public Information Officer).

The Director of the Department of Air Pollution Control is under policy direction of the Air Pollution Control Board and administrative direction of the Health Care Agency Administration. The director manages the planning, organization, and implementation of pollution control activities and directs the coordination of these activities with other government agencies and with private and public groups. The position requires a thorough knowledge of air pollution technology, Federal and state air pollution regulations, and management techniques. A bachelor's of science degree is required in engineering, science, law, or public or business administration. In addition, university course or seminars in environmental quality control should be in the background of the employee. Experience needed includes at least 5 years of recent progressively more difficult and responsible work at the administrative level involving air pollution control laws and regulations.

The Assistant Director of the department serves under the direction of the Director and plans and directs the overall management and activity levels of the air pollution control program. In addition, the Assistant Director coordinates efforts with other government agencies, and is involved with organizing and implementing District activities. The Assistant Director must have a general knowledge of pollution control equipment for both mobile and stationary sources, evaluation methodologies for air quality impact and strategy evaluation, and a thorough knowledge of Federal and state air pollution control regulations. The employee must have good oral and written communications experience, and approximately 3 years experience in air resources management with administrative/management level responsibilities for personnel and program activities.

At the staff level, the Technical Services Coordinator is responsible for the coordination of air quality evaluation activities and provides technical support to both professional and paraprofessional personnel for projects related to monitoring, testing, and evaluation of air emission contaminant capabilities. The Technical Coordinator is involved in the planning, directing, and coordination of field operations, permit processing and plan evaluations, as well as assisting with the District's fiscal administration.

The Technical Coordinator must have considerable knowledge of the design, installation, and operation of control equipment for industrial and chemical processes, combustion, and incineration. The employee must also have considerable knowledge of modern engineering methods and techniques and a thorough knowledge of state and Federal regulations. Experience needed consists of a progressive and responsible level technical and environmental control background including personnel management and a familiarity with processes and control techniques.

The Health Educator assists in the development and execution of programs in the public health education field. Education qualifications include a master's degree in public health education from a college or university accredited by the American Public Health Association.

Salary ranges, including benefits, for the previously mentioned personnel are noted in Table 2-17.

Information concerning the personnel turnover rate of the District prior to the 1975-1976 fiscal year was not complete or readily available, however, there didn't appear to be an extreme outflow of personnel. During the 1975-1976 fiscal year, 4 persons or 4 percent of the staff terminated their employment. In the 1976-1977 fiscal year, 8 persons or 8 percent of the staff terminated, while during the 1977-1978 fiscal year 25 persons or 24 percent of the staff terminated their positions. During this time frame, the District staff grew by nearly 11 percent from 94 persons to 104 persons, however the rate of personnel leaving the staff increased by 6 times, from 4 percent during the 1975-1976 fiscal year to 24 percent during the 1977-1978 fiscal year. This trend may, in part, be attributable to the small increases in salary ranges over the past 3 years.

Table 2-17. SALARY RANGES OF PERSONNEL, INCLUDING BENEFITS[a]

Category/Position	Salary Range
Administrative	
Director, Air Pollution Control	$32,904 - $36,264
Assistant Director, Air Pollution Control	27,120 - 32,976
Technical Services Coordinator	24,576 - 29,868
Chief, Air Pollution Control Engineering	24,576 - 24,868
Professional - Supervisory	
Senior Air Pollution Control Engineer	21,000 - 25,536
Senior Air Pollution Chemist	17,400 - 21,168
Supervising Air Pollution Chemist	19,116 - 23,256
Professional - Nonsupervisory	
Administrative Assistant II	17,316 - 21,060
Assistant Systems Analyst	14,136 - 17,172
Environmental Management Specialist II	17,256 - 21,000
Associate Air Pollution Control Engineer	18,132 - 22,044
Air Pollution Control Engineer	15,624 - 18,972
Air Pollution Meteorologist	19,740 - 24,012
Air Pollution Chemist	15,012 - 18,264
Junior Air Pollution Chemist	13,620 - 16,548
Health Educator	15,168 - 18,420
Technical - Supervisory	
Air Pollution Inspector II	15,852 - 19,260
Supervising Air Pollution Instrument Technician	13,884 - 16,872
Supervising Air Pollution Inspector	17,544 - 21,336
Technical - Nonsupervisory	
Air Pollution Control Aide	10,728 - 13,032
Air Pollution Inspector I	13,548 - 16,464
Air Pollution Instrument Technician	12,528 - 15,252
Air Pollution Inspector II	18,852 - 19,260
Clerical - Supervisory	
Accounting Technician	11,292 - 13,716
Senior Clerk Typist	9,684 - 11,748
Secretary II	10,524 - 12,760
Clerical - Nonsupervisory	
Intermediate Account Clerk	8,580 - 10,416
Intermediate Clerk Typist	8,172 - 9,936
Junior Clerk Typist	6,624 - 8,052
Data Entry Operator	8,616 - 10,452

[a] Data from San Diego County Employee Information System computer printout of July 21, 1978

2.5 BUDGET

Figure 2-4 graphically displays the historical growth of the District by manpower and monies expended. It is apparent that the district grew quickly during a 2 year period from fiscal year 1971-1972 through the 1972-1973 fiscal year. This was in large part due to the previously mentioned expansion of the rules and regulations. Another large growth period was during the 1975-1976 fiscal year. This can be attributed to the expansion of the air quality monitoring network and the implementation of the vapor recovery program.

The District operates on a July 1 to June 30 fiscal year budget which is appropriated by the Board of Supervisors of the County of San Diego. Since the District was considered a portion of the Department of Public Health, budget allocations were assigned to a separate budget unit of that department. With the adoption of the regulations, provisions were made for the receipt of revenues from permits to construct and/or operate process equipment. However, the amount of revenues received from this mechanism during the 1969-1971 fiscal year through the 1972-1973 fiscal year were unavailable.

Gross expenditures of the District during the 1969-1970 fiscal year through the 1973-1974 fiscal year were recorded as shown in Table 2-9.

The first year of record for revenues of the District was 1973-1974. Licenses and permit fees amount to $147,959. Miscellaneous state grants amount to $18,478, the California Air Resources Board grant totaled $310,163, and the Federal maintenance grant totaled $334,338. The total revenue from grant programs was $662,979. An adjustment of $66,071 was made to the totals so that the final revenue figure for fiscal year 1973-1974 was $745,147. The San Diego County Board of Supervisors committed the additional revenues necessary to balance against the expenditures.

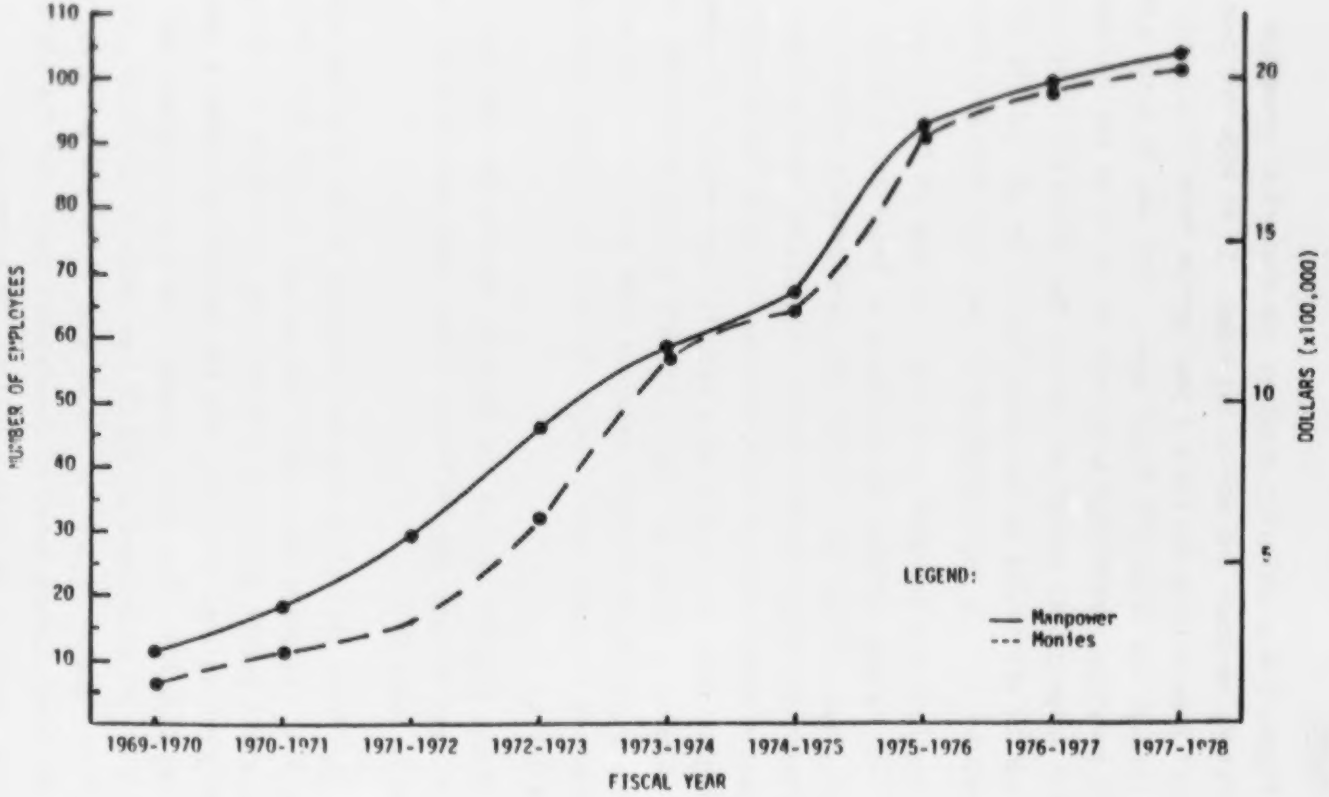


Figure 2-4. Historical Growth of Manpower and Monies Expended

Table 2-18. SAN DIEGO APCD GROSS EXPENDITURES, 1969-1974[a]

Category	1969-1970	1970-1971	1971-1972	1972-1973	1973-1974
Salaries and Benefits	108,827	171,156	253,870	445,487	672,876
Services and Supplies	11,873	15,029	15,099	21,866	96,249
Indirect Costs	N/A	25,220	21,708	84,186	121,704
Fixed Assets	12,922	1,428	18,976	95,071	260,275
Total	133,622	212,833	309,653	646,610	1,151,104

[a] Data from San Diego County financial records

N/A = Not available

During the 1974-1975 fiscal year, the Division was administratively separated from the Department of Public Health. At this time, bookkeeping functions were divided among the divisions within the Agency, hence the District became responsible for its own financial records. Accounting records were kept separately for costs incurred by each Division within the District. The expenditures during the 1974-1975 fiscal year were incurred as noted in Table 2-19.

Table 2-19. SAN DIEGO APCD EXPENDITURES, 1974-1975[a]

Bureau	Salaries	Services and Supplies	Indirect Costs	Fixed Assets	Total
Administration	225,805	6,225	44,608	3,142	279,780
Engineering	321,506	10,295	63,514	4,348	399,663
Surveillance and Enforcement	198,124	694	39,139	153	238,110
Monitoring and Technical Services	192,351	52,196	37,999	95,407	377,953
Total	937,786	69,410	185,260	103,050	1,295,506

[a] Data from San Diego County APCD financial records

Revenues for this period included $126,950 from licenses and permits, $19,040 from miscellaneous state grants, $340,856 from the Air Resources Board grant, and $409,003 from Federal grants, for a combined total of $768,899. After adjustments had been made, total revenues were $1,295,506 which included monies from the County.

Revenues received during the 1975-1976 fiscal year amounted to $66,106 from licenses and permits. Various state grants accounted for $19,553, and the Air Resources Board grant amounted to $325,754. Federal grants were valued at $385,000. Total revenues from grants totaled $730,307. After adjustments, total revenues for the year amounted to $796,556 which added to the County revenues to equal the expenditures indicated in Table 2-20.

Table 2-20. SAN DIEGO APCD EXPENDITURES, 1975-1976[a]

Bureau	Salaries	Services and Supplies	Indirect Costs	Fixed Assets	Total
Administration	249,507	34,150	65,871	12,162	361,640
Engineering	347,822	5,167	91,827	1,407	446,223
Enforcement	230,390	2,784	60,824	1,892	295,890
Monitoring and Technical Services	257,297	55,202	67,928	109,757	490,184
Air Resources/Special Projects	105,315	12,413	27,804	0	145,532
Vapor Recovery (part of Engineering)	77,392	4,251	20,432	2,635	104,710
Total	1,267,723	113,967	334,686	127,853	1,844,229

[a] Data from San Diego County APCD financial records

Revenues from licenses and permits during the 1976-1977 fiscal year amounted to $70,928. The Air Resources Board grant was valued at $365,850, and the Federal grants amounted to $454,070, for a total revenue from grants of $819,920. Charges for services amounted to $20,726, and miscellaneous revenue was valued at $85,890. Total revenues during the 1976-1977 fiscal year were valued at $988,364. Expenditures are summarized in Table 2-21. The County accounted for the difference.

Table 2-21. SAN DIEGO APCD EXPENDITURES, 1976-1977[a]

Bureau	Salaries	Services and Supplies	Indirect Costs	Fixed Assets	Total
Administration	259,686	54,298	86,961	5,061	406,006
Engineering	174,386	7,434	58,397	816	241,033
Enforcement	244,840	1,208	81,990	5,509	333,547
Monitoring and Technical Services	289,664	86,986	97,000	130,542	604,192
Air Resources/Special Projects	141,767	11,687	47,474	1,320	202,248
Vapor Recovery (part of Engineering)	152,318	6,902	51,007	2,400	212,627
Total	1,262,661	168,515	422,829	145,647	1,999,653

[a] Data from San Diego County APCD financial records

Revenues from permits and licenses during the 1977-1978 fiscal year totaled $171,164. The Air Resources Board grant totaled $380,673, and the Federal grants amounted to $558,950, for a total of $1,003,497 from state and Federal grants. Income from miscellaneous sources accounted for $48,363. Total revenues for the year were $1,224,578 plus sufficient County funds to satisfy the expenditures for the District shown in Table 2-22.

Table 2-22. SAN DIEGO APCD EXPENDITURES, 1977-1978[a]

Bureau	Salaries	Services and Supplies	Indirect Costs	Fixed Assets	Total
Administration	272,081	71,885	71,530	1,115	416,611
Engineering	169,498	350	44,560	0	214,408
Enforcement	257,601	4,715	67,722	1,196	331,234
Monitoring and Technical Services	321,283	88,991	84,464	61,984	556,722
Air Resources Management	198,469	5,120	52,177	0	255,766
Vapor Recovery (part of Engineering)	194,468	4,739	51,125	2,205	252,537
Total	1,413,400	175,800	371,578	66,500	2,027,278

[a] Data from San Diego County APCD financial records

A summary of yearly expenditures by each Division within the District, when available, is presented in Table 2-23.

Table 2-23. SUMMARY OF EXPENDITURES, 1969-1970 THROUGH 1977-1978[a]

Bureau \ Year	1969-1970	1970-1971	1971-1972	1972-1973	1973-1974	1974-1975	1975-1976	1976-1977	1977-1978	Total
Administration	N/A	N/A	N/A	N/A	N/A	279,780	361,640	406,006	416,611	1,464,037
Engineering	N/A	N/A	N/A	N/A	N/A	399,663	446,223	241,033	214,408	1,301,327
Vapor Recovery (part of Engineering)	*	*	*	*	*	*	104,710	212,267	252,537	569,514
Enforcement	N/A	N/A	N/A	N/A	N/A	238,110	295,890	333,547	331,234	1,198,781
Monitoring and Technical Services	N/A	N/A	N/A	N/A	N/A	377,953	490,184	604,192	556,722	2,029,051
Air Resources Management	*	*	*	*	*	*	145,532	202,248	255,766	603,546
Total	133,622	212,833	309,653	646,610	1,151,104	1,295,506	1,844,229	1,999,653	2,027,278	9,620,488 7,166,256

[a] Data from San Diego County APCD financial records

N/A = Not available

* = Not applicable - This program was not activated until the 1975-1976 fiscal year

3.0 AGENCY PROGRAMS

3.1 PREPERMITTING PHASE: EMISSION INVENTORY

Emissions inventories have been compiled only twice by the San Diego Air Pollution Control District (SDAPCD) since its inception. These inventories are limited in number because each project was a comprehensive effort requiring the acquisition of new and updated detailed data relative to the sources (both area and point) of primary concern to the District.

The District's first inventory was compiled to represent the year 1972 but was not completed for release until August 1975. In August 1977, the second emissions inventory was released for the year 1974. The reasons attributed to these prolonged delays were:

- Unavailability of up-to-date emission source data.
- Lack of adequate responses from those sources who participated.
- Lack of cooperation from the U.S. Government, primarily the U.S. Navy with respect to its operations within the District.
- The continuous issuance of new and updated EPA documents necessitating the substantial revision of numerous sections of each emission inventory.

The San Diego APCD has not been satisfied with a cursory analysis of the air quality based on methodologies and emission factors recommended by EPA for nationwide use. Instead, the District has made extensive efforts to develop methodologies and emission factors specifically applicable to its geographical region. Of major importance was the District's emphasis on the relative contribution to the deterioration of air quality that is represented by organic solvent emissions. The District is also responsible for the development of an emissions inventory methodology for aircraft operations (military, general, and commercial) by formulating a questionnaire, aiding in its completion, and personally recording the time intervals of the various aircraft operations. This resulted in the revision of the EPA aircraft figures by as much as two-thirds.

Looking beyond these specific achievements it was necessary that the District maintain an up-to-date, ongoing point and area source emissions inventory. The need for this has been realized in light of the fact that this information was required to be available for RACT and SIP revisions in order to develop emission control strategies.

The emission inventories conducted by the District have been compiled utilizing the information received from such sources as:

- Point source survey forms
- Applications for permits
- Inspection files
- Commercial indexes
- Trade publications
- Business license files
- Tax files
- U.S. Government reports
- Telephone listings

Initially, the San Diego APCD planned to maintain inventory records on all sources emitting pollutants greater than 1 ton per year, but later came to realize the impracticality and cost ineffectiveness involved. In late 1977 the San Diego APCD had set 25 tons per year as its minimal emissions base. Using the sources stated previously, the District developed what it considered to be fairly representative figures. But, as indicated earlier, by the time the reports were compiled, they were grossly outdated and of little use. It was apparent that to proceed with these methods would produce useless results. It was decided that for future inventories, point source information will be maintained by the Division of Engineering in the Emissions Inventory Subsystem/Permit and Registration (EIS/P&R) System.

The EIS/P&R System was intended to be used to maintain current data on all point sources within the District but as the program developed and manpower restrictions were imposed, the program updating was given a lower priority. The inspector assigned to a particular point source would, within 3 months of permit expiration, visit the source and question the responsible persons concerning the status of the operations in comparison to the previous year and make changes a part of the inspection report. This inspection report would then be reviewed by the Division of Engineering. If further investigation was required it would then be referred to the Monitoring and Technical Services Division to check the data by way of a source test. Once approved, data were then entered into the computer and incorporated in the revised emissions inventory.

A computer program for a District emission inventory has been in use since 1973. That program was the first base year emissions inventory entered into the computer by the District. Since 1973, the District has updated its data only twice. The primary reason was the District's slow acquisition and incorporation of the data necessary to complete the inventory due to Division priority determinations made concerning manpower assignments.

Another tool developed by the San Diego APCD was an emission simulator (a system designed to geographically illustrate the distribution of point source emissions within the District). Basically, it is a computer program developed to incorporate point source emissions data and allocate these emissions to the particular regions within the District by way of a 2-kilometer grid system. This system is not as comprehensive as the emissions inventory system, since it does not address area source emissions. It has been kept relatively up-to-date despite the relative importance of a comprehensive emissions inventory which deals with both point and area sources.

To gather and apply input from the public sector, a Community Resource Panel was established to represent the varied and diverse interest groups within the District. Approximately 30 appointed members hold positions on the panel representing, but not limited to, such groups as the Women's League of Voters, the San Diego Port District, and various minority groups. The stated function of this panel was to review all reports published by the District relative to air quality maintenance planning and forward its suggestions and recommendations concerning the actual promulgation of these reports to the San Diego APCD. This group reviewed the District's Regional Air Quality Strategy (RAQS) and outlined approximately 150 proposed controls to be imposed by the District. Through comments received from the panel Policy Group, Public Advisory Committee, and specialized subcommittees for mobile and point sources, specific controls were added, deleted, or modified.

Another source of valuable external input has been the establishment by the ARB of Source Specific Regulations Study Groups. San Diego APCD likes to take a major portion of the credit for the creation of the Organic Solvent Study Group. It was primarily through the District's specialized technical efforts that organic solvents "consciousness," as it were, has been properly allotted its relative contribution to total atmospheric emissions. Represented in the group with the ARB are the three major APCD's in the state: San Francisco, Los Angeles, and San Diego, and representatives of industry. It is the function of these groups to discuss proposed regulations, and through surveys and open discussions, to improve them before their actual implementation.

It is apparent that the San Diego APCD has made a concerted effort to effectively represent its District in terms of their emissions inventories. The District's use of specially designed, technically innovative methodologies and the incorporation of outside sources is commendable, but an up-to-date emissions inventory should take priority. This emissions inventory need not be totally inclusive of point and area sources each year, but it may be deemed advisable that the District concentrate on either type of source for any one year. This would certainly be an improvement over the District's inventory publication history to date. The District has a valid point in emphasizing the confusion created by the issuance by EPA of updated supplements and standards, but a more concentrated effort needs to be implemented to maintain a current emissions inventory.

3.2 PERMIT SYSTEM: CONSTRUCTION AND OPERATION PERMITS

The District's Division of Engineering (DE) is in charge of its permit system which consists of three types of permits:

- Authority to construct
- Permit to operate
- Permit to sell or rent

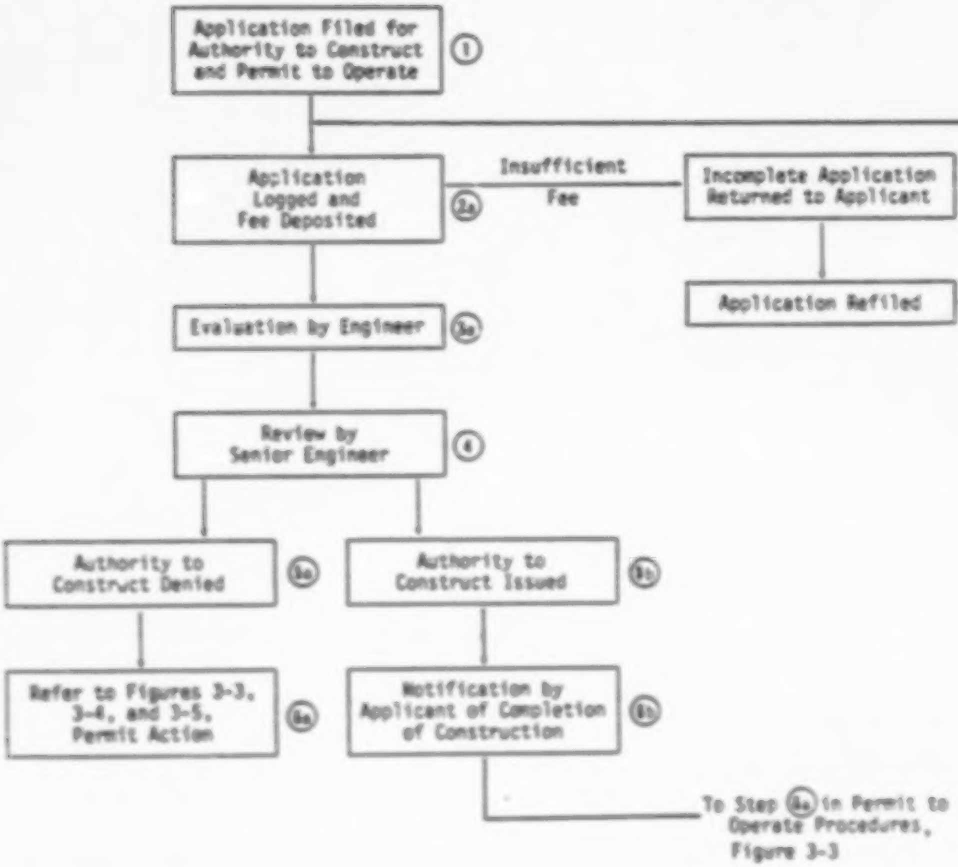
By definition "(a)ny person building, erecting, altering, or replacing any article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, shall first obtain written authorization for such construction from the Air Pollution Control Officer" (APCO) in the form of an Authority to Construct. In addition, a Permit to Operate must be granted by the APCD before these units may be put into full-time operation.

The permit to sell or rent was modeled after the Los Angeles rules. The SDAPCD issued less than 10 of these permits last year for rentals only. Rental permits are for less than 30 days. The permit to sell appears to be wording adopted from the South Coast Air Quality Management district with little or no current application.

Permit applications are received as a result of the Division of Surveillance and Enforcement's (DSE) field activities or by voluntary submittal from industry. If the source submitted its application to the District as a result of the DSE, the industry will have at its disposal a list prepared by the DSE inspector specifying the equipment that must have a separate permit in order for the source to be in compliance. Therefore, all of the applications should be properly filled out and submitted to the District. However, if the industry itself has submitted the application on its own volition, it is possible that corrections may be necessary before the application may be further processed.

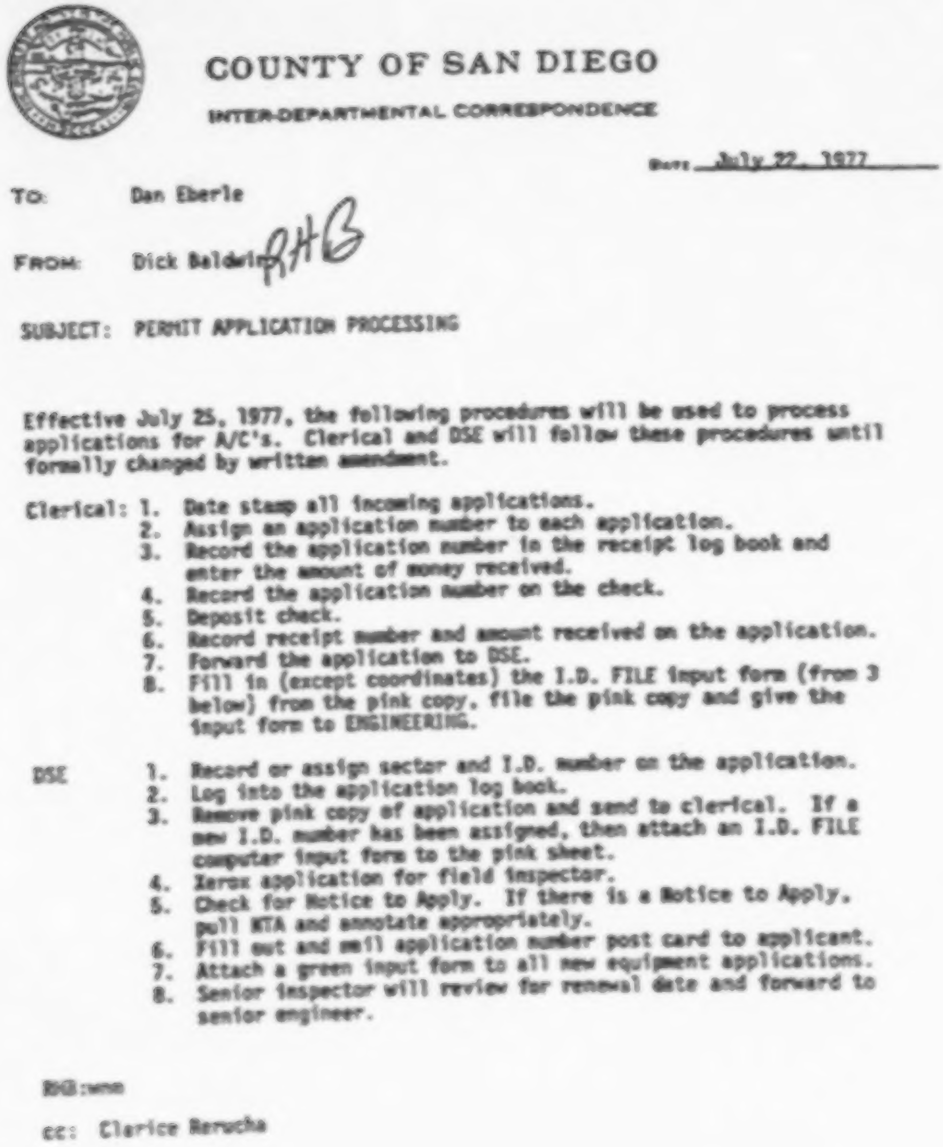
If a source discovery is made by DSE, a notice of violation is issued. Approximately 18 cases per year are forwarded to the D.A. or city attorney for misdemeanor prosecution. About 80 percent of these cases proceed to arraignment. Prior to their appearance before the judge, the source may apply for a permit and request the judge dismiss the case which is the usual course of action. The balance of cases generally proceed to prosecution with the eventual collection of fines.

Assuming an application is received and properly completed, it is recorded by DSE and DE as having been received. (Refer to figures 3-1, 3-2 and 3-3 for flow diagram of processing and making



Application Filed for Authority to Construct and Permit to Operate
①
Application Logged and Fee Deposited
2a
Insufficient Fee
Incomplete Application Returned to Applicant
2b
Application Refiled
3b
Evaluation by Engineer
3a
Review by Senior Engineer
④
Authority to Construct Denied
5a
Authority to Construct Issued
5b
Refer to Figures 3-3, 3-4, and 3-5, Permit Action
6a
Notification by Applicant of Completion of Construction
6b
To Step 4a in Permit to Operate Procedures, Figure 3-3

Figure 3-1. Authority to Construct Administrative Procedures



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: July 22, 1977

TO: Dan Eberle

FROM: Dick Baldwin RHB

SUBJECT: PERMIT APPLICATION PROCESSING

Effective July 25, 1977, the following procedures will be used to process applications for A/C's. Clerical and DSE will follow these procedures until formally changed by written amendment.

Clerical:
1. Date stamp all incoming applications.
2. Assign an application number to each application.
3. Record the application number in the receipt log book and enter the amount of money received.
4. Record the application number on the check.
5. Deposit check.
6. Record receipt number and amount received on the application.
7. Forward the application to DSE.
8. Fill in (except coordinates) the I.D. FILE input form (from 3 below) from the pink copy, file the pink copy and give the input form to ENGINEERING.

DSE
1. Record or assign sector and I.D. number on the application.
2. Log into the application log book.
3. Remove pink copy of application and send to clerical. If a new I.D. number has been assigned, then attach an I.D. FILE computer input form to the pink sheet.
4. Xerox application for field inspector.
5. Check for Notice to Apply. If there is a Notice to Apply, pull NTA and annotate appropriately.
6. Fill out and mail application number post card to applicant.
7. Attach a green input form to all new equipment applications.
8. Senior inspector will review for renewal date and forward to senior engineer.

RHB:wmn

cc: Clarice Rerucha

Figure 3-2. Permit Application Processing

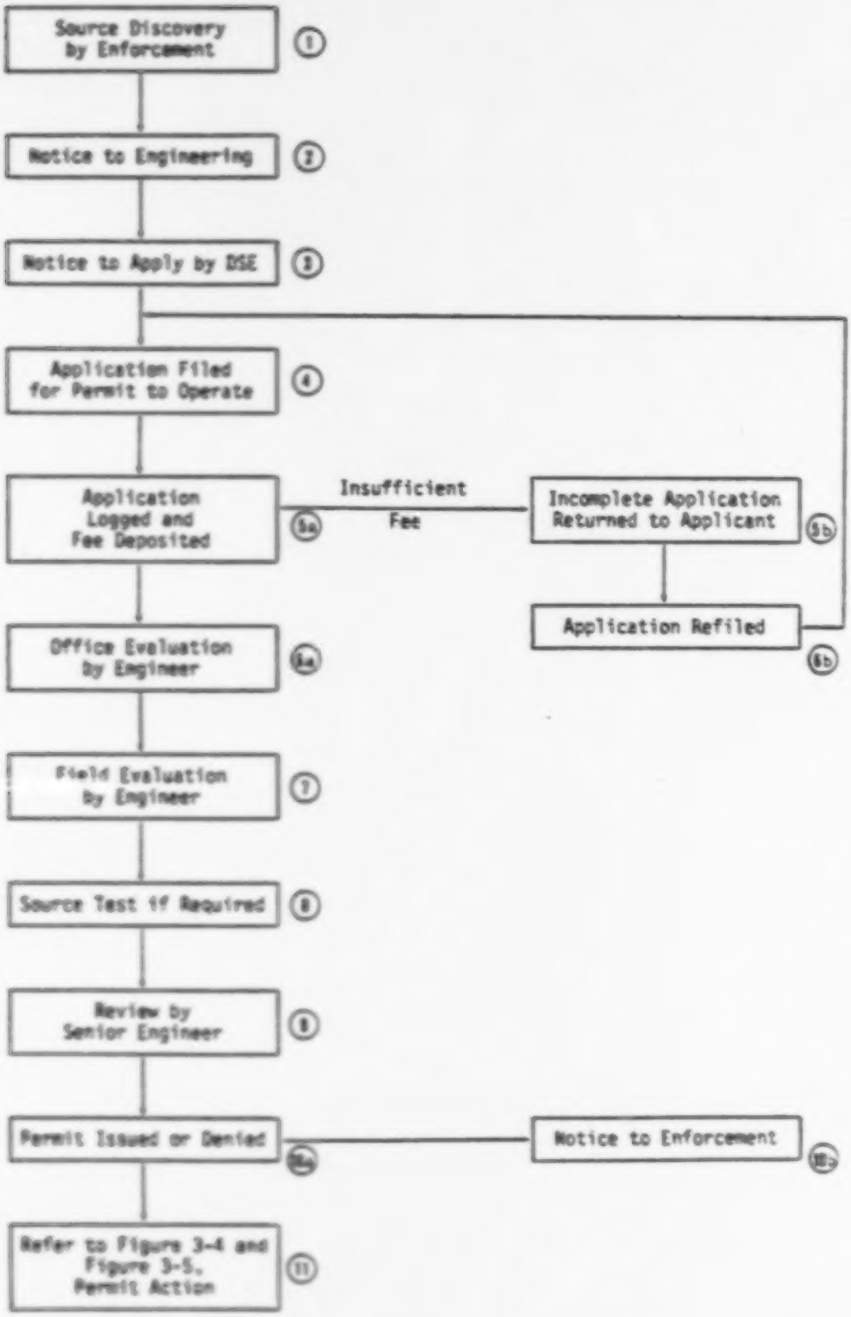
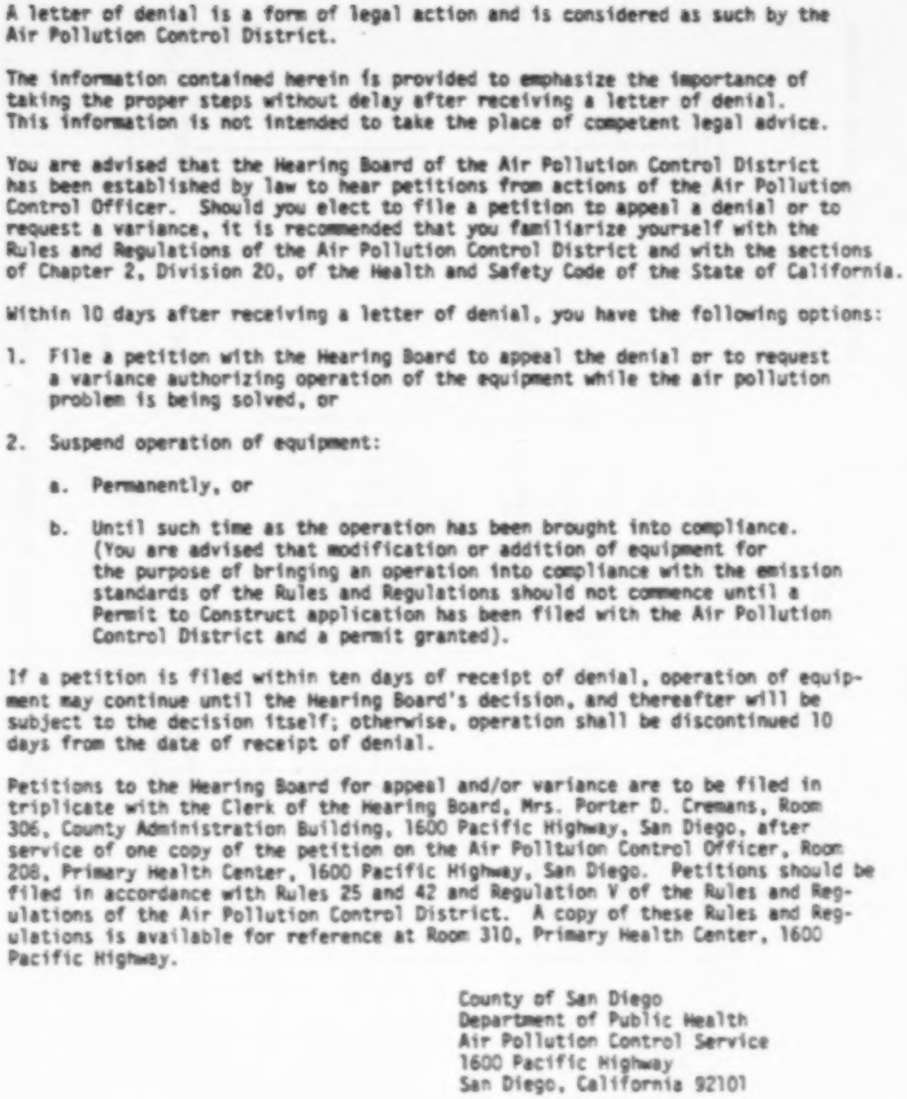

Source Discovery by Enforcement
1
Notice to Engineering
2
Notice to Apply by DSE
3
Application Filed for Permit to Operate
4
Application Logged and Fee Deposited
5a
Insufficient Fee
Incomplete Application Returned to Applicant
5b
Application Refiled
6b
Office Evaluation by Engineer
6a
Field Evaluation by Engineer
7
Source Test if Required
8
Review by Senior Engineer
9
Permit Issued or Denied
10a
Notice to Enforcement
10b
Refer to Figure 3-4 and Figure 3-5, Permit Action
11

Figure 3-3. Permit to Operate Administrative Procedures



A letter of denial is a form of legal action and is considered as such by the Air Pollution Control District.

The information contained herein is provided to emphasize the importance of taking the proper steps without delay after receiving a letter of denial. This information is not intended to take the place of competent legal advice.

You are advised that the Hearing Board of the Air Pollution Control District has been established by law to hear petitions from actions of the Air Pollution Control Officer. Should you elect to file a petition to appeal a denial or to request a variance, it is recommended that you familiarize yourself with the Rules and Regulations of the Air Pollution Control District and with the sections of Chapter 2, Division 20, of the Health and Safety Code of the State of California.

Within 10 days after receiving a letter of denial, you have the following options:

1. File a petition with the Hearing Board to appeal the denial or to request a variance authorizing operation of the equipment while the air pollution problem is being solved, or

2. Suspend operation of equipment:

   a. Permanently, or

   b. Until such time as the operation has been brought into compliance. (You are advised that modification or addition of equipment for the purpose of bringing an operation into compliance with the emission standards of the Rules and Regulations should not commence until a Permit to Construct application has been filed with the Air Pollution Control District and a permit granted).

If a petition is filed within ten days of receipt of denial, operation of equipment may continue until the Hearing Board's decision, and thereafter will be subject to the decision itself; otherwise, operation shall be discontinued 10 days from the date of receipt of denial.

Petitions to the Hearing Board for appeal and/or variance are to be filed in triplicate with the Clerk of the Hearing Board, Mrs. Porter D. Cremans, Room 306, County Administration Building, 1600 Pacific Highway, San Diego, after service of one copy of the petition on the Air Polltuion Control Officer, Room 208, Primary Health Center, 1600 Pacific Highway, San Diego. Petitions should be filed in accordance with Rules 25 and 42 and Regulation V of the Rules and Regulations of the Air Pollution Control District. A copy of these Rules and Regulations is available for reference at Room 310, Primary Health Center, 1600 Pacific Highway.

County of San Diego
Department of Public Health
Air Pollution Control Service
1600 Pacific Highway
San Diego, California 92101

Figure 3-4. "Important Information Concerning Denials"

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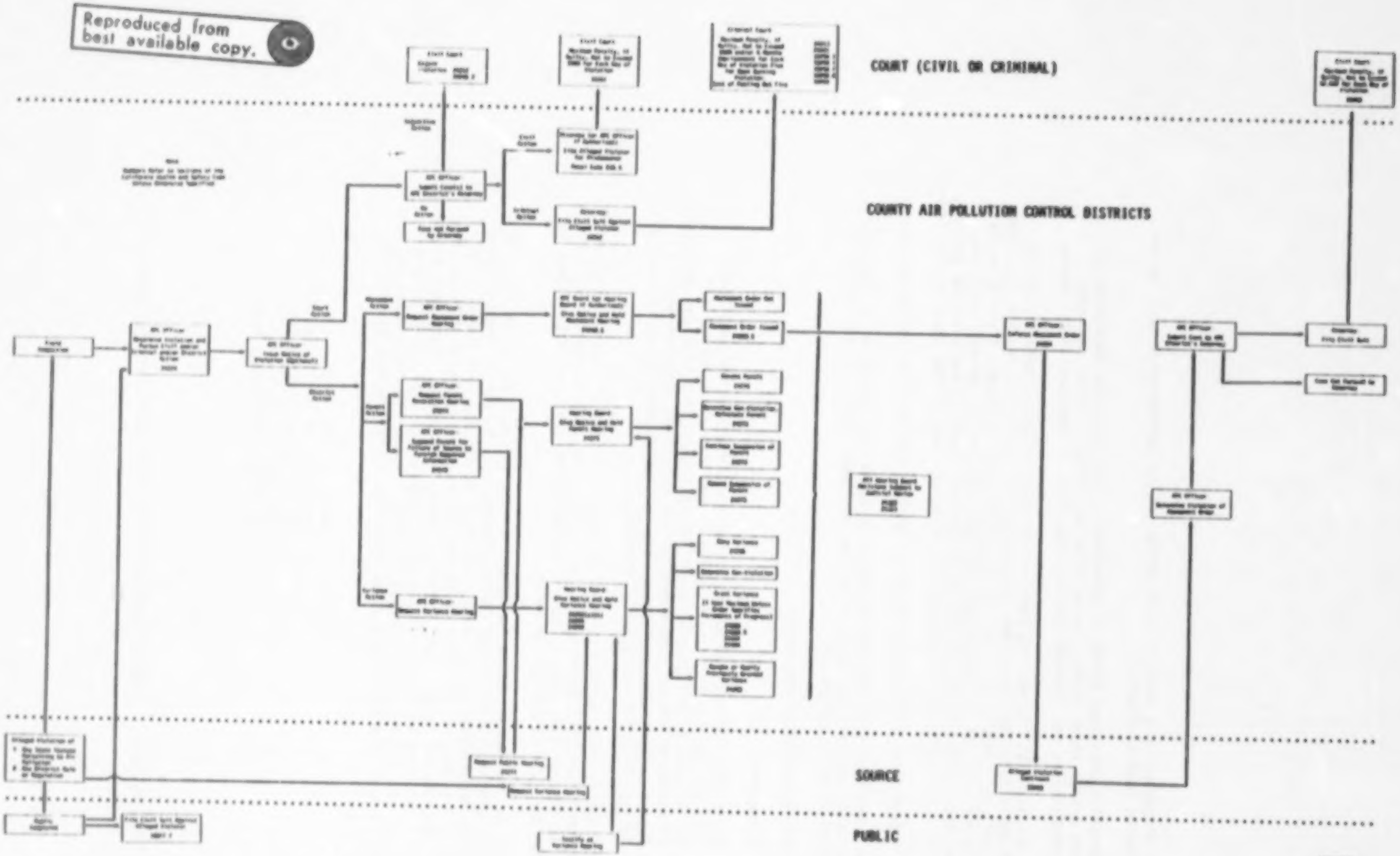

COURT (CIVIL OR CRIMINAL)
COUNTY AIR POLLUTION CONTROL DISTRICTS
SOURCE
PUBLIC

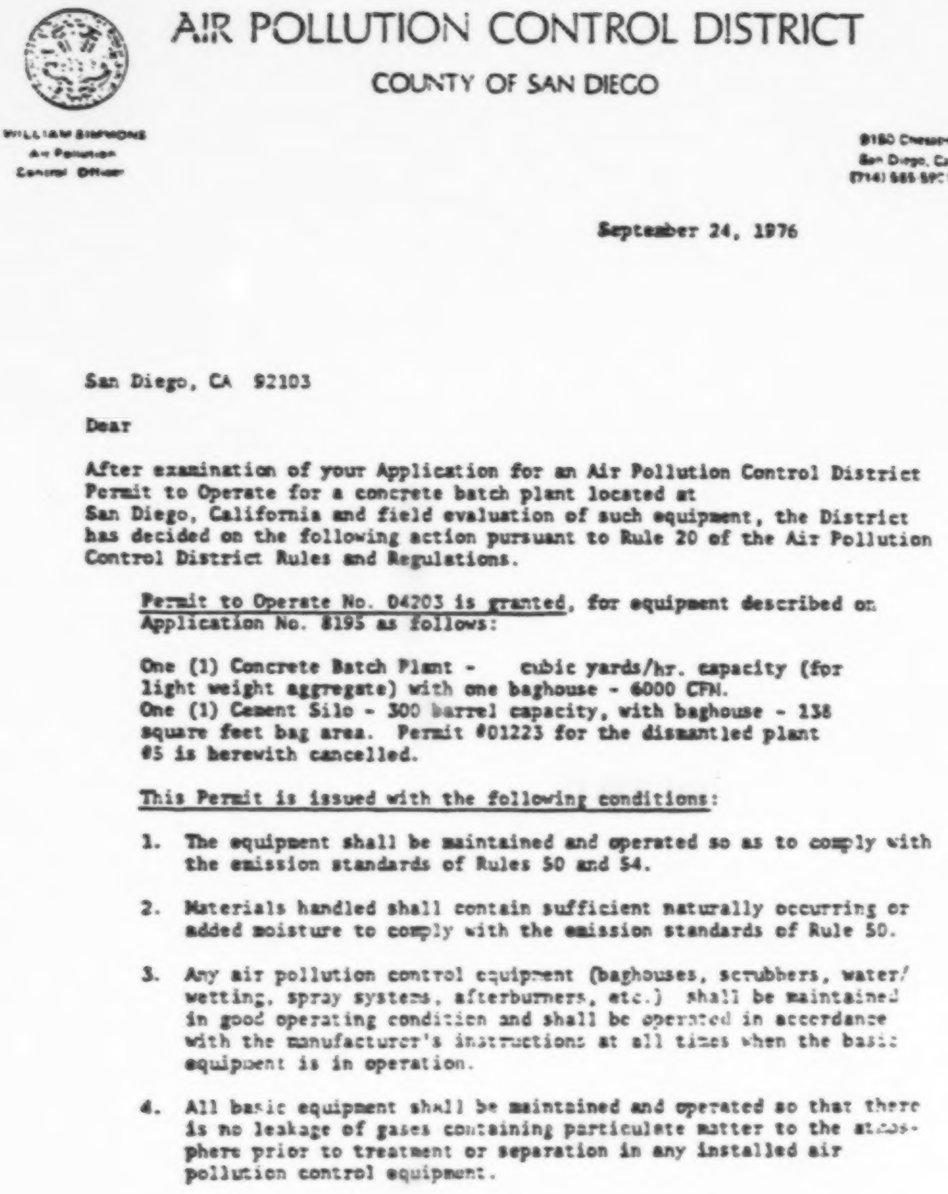
Figure 3-5. Legal Alternatives for County District Enforcement

determinations on applications for authority to construct and permit to operate). At this time, an office evaluation of the applications is made by a staff engineer who either approves or denies it by means of a technical evaluation involving calculations and research of the emission potential of the equipment. This usually results in the requirement that conditions necessary for maintaining compliance of the operating equipment be met by the applicant. These conditions were, in the past, generally standardized as to the type of operation or piece of equipment being permitted. Today, the APCD, in an effort to address itself to the peculiarities of its varied sources, attempts to set specific limiting factors on the permitted processes deemed to require them so as to have them meet the District's emission standards. These limiting factors are drafted in the form of specific conditions and are made a part of the permit. While comments and suggestions are accepted by the District concerning permit conditions, they are not usually subject to negotiation unless a valid reason is given to justify it. For example, see Figures 3-6, 3-7, 3-8 and 3-9.

Next, the application is passed to another staff engineer for field evaluation. A visit to the source, if appropriate, is then conducted to verify that the equipment installed and the observable conditions presented in the application exist and meet permit requirements.

Source tests are conducted if they are thought by the Division of Engineering to be feasible both economically and technologically. Although these tests are not required for permit issuance in all cases, the District expressly reserves the right, in most permits, to require a source test when, at its discretion, it is necessary to determine whether a source is in compliance.

If the Division's calculations indicate that the source will operate well within the emission standards, visible emission



AIR POLLUTION CONTROL DISTRICT

COUNTY OF SAN DIEGO

WILLIAM SIMMONS
Air Pollution
Control Officer

9150 Chesapeake Drive
San Diego, Calif. 92123
(714) [illegible]

September 24, 1976

San Diego, CA 92103

Dear

After examination of your Application for an Air Pollution Control District Permit to Operate for a concrete batch plant located at San Diego, California and field evaluation of such equipment, the District has decided on the following action pursuant to Rule 20 of the Air Pollution Control District Rules and Regulations.

> Permit to Operate No. 04203 is granted, for equipment described on Application No. 8195 as follows:
>
> One (1) Concrete Batch Plant - cubic yards/hr. capacity (for light weight aggregate) with one baghouse - 6000 CFM.
> One (1) Cement Silo - 300 barrel capacity, with baghouse - 138 square feet bag area. Permit #01223 for the dismantled plant #5 is herewith cancelled.
>
> This Permit is issued with the following conditions:
>
> 1. The equipment shall be maintained and operated so as to comply with the emission standards of Rules 50 and 54.
> 2. Materials handled shall contain sufficient naturally occurring or added moisture to comply with the emission standards of Rule 50.
> 3. Any air pollution control equipment (baghouses, scrubbers, water/wetting, spray systems, afterburners, etc.) shall be maintained in good operating condition and shall be operated in accordance with the manufacturer's instructions at all times when the basic equipment is in operation.
> 4. All basic equipment shall be maintained and operated so that there is no leakage of gases containing particulate matter to the atmosphere prior to treatment or separation in any installed air pollution control equipment.

Figure 3-6. Permit Conditions

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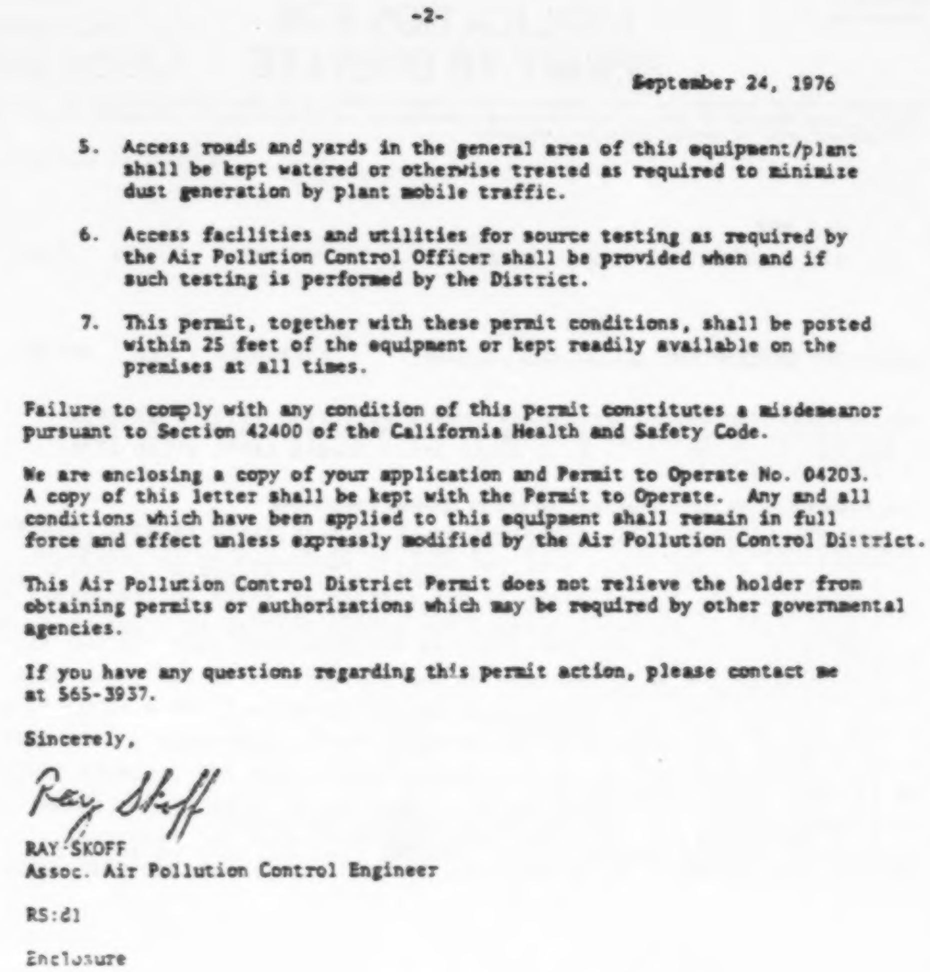
best available copy.



-2-

September 24, 1976

5. Access roads and yards in the general area of this equipment/plant shall be kept watered or otherwise treated as required to minimize dust generation by plant mobile traffic.

6. Access facilities and utilities for source testing as required by the Air Pollution Control Officer shall be provided when and if such testing is performed by the District.

7. This permit, together with these permit conditions, shall be posted within 25 feet of the equipment or kept readily available on the premises at all times.

Failure to comply with any condition of this permit constitutes a misdemeanor pursuant to Section 42400 of the California Health and Safety Code.

We are enclosing a copy of your application and Permit to Operate No. 04203. A copy of this letter shall be kept with the Permit to Operate. Any and all conditions which have been applied to this equipment shall remain in full force and effect unless expressly modified by the Air Pollution Control District.

This Air Pollution Control District Permit does not relieve the holder from obtaining permits or authorizations which may be required by other governmental agencies.

If you have any questions regarding this permit action, please contact me at 565-3937.

Sincerely,

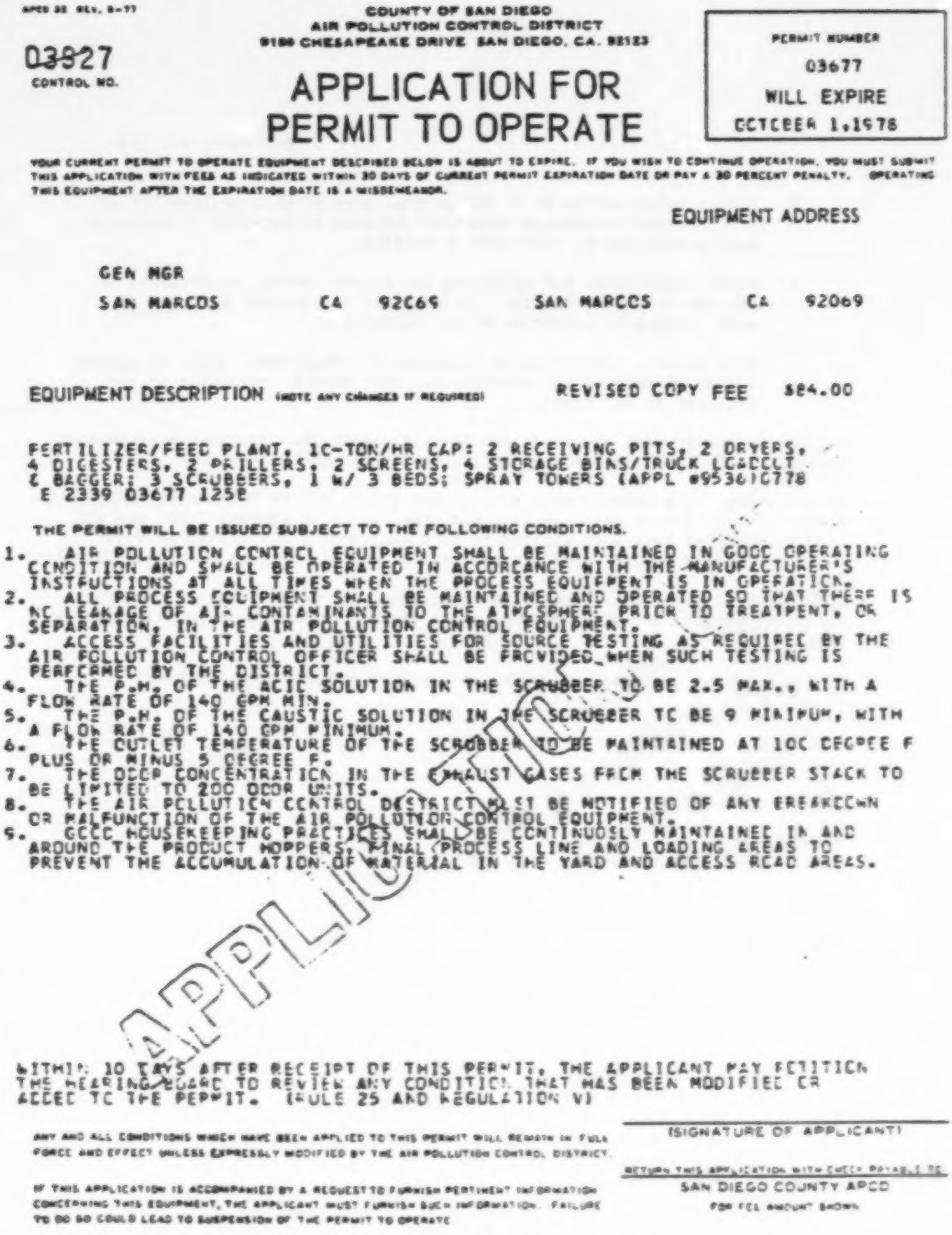
Ray Skoff

RAY SKOFF
Assoc. Air Pollution Control Engineer

RS:dl

Enclosure

Figure 3-6. Permit Conditions (Concluded)



APCD 32 REV. 8-77

COUNTY OF SAN DIEGO
AIR POLLUTION CONTROL DISTRICT
9150 CHESAPEAKE DRIVE SAN DIEGO, CA. 92123

03927
CONTROL NO.

APPLICATION FOR
PERMIT TO OPERATE

PERMIT NUMBER
03677
WILL EXPIRE
OCTOBER 1,1978

YOUR CURRENT PERMIT TO OPERATE EQUIPMENT DESCRIBED BELOW IS ABOUT TO EXPIRE. IF YOU WISH TO CONTINUE OPERATION, YOU MUST SUBMIT THIS APPLICATION WITH FEES AS INDICATED WITHIN 30 DAYS OF CURRENT PERMIT EXPIRATION DATE OR PAY A 30 PERCENT PENALTY. OPERATING THIS EQUIPMENT AFTER THE EXPIRATION DATE IS A MISDEMEANOR.

EQUIPMENT ADDRESS

GEN MGR
SAN MARCOS CA 92069 SAN MARCOS CA 92069

EQUIPMENT DESCRIPTION (NOTE ANY CHANGES IF REQUIRED) REVISED COPY FEE $84.00

FERTILIZER/FEED PLANT, 10-TON/HR CAP: 2 RECEIVING PITS, 2 DRYERS, 4 DIGESTERS, 2 PRILLERS, 2 SCREENS, 4 STORAGE BINS/TRUCK LOADOUT & BAGGER; 3 SCRUBBERS, 1 W/ 3 BEDS; SPRAY TOWERS (APPL #953610778
E 2339 03677 1258

THE PERMIT WILL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS.

1. AIR POLLUTION CONTROL EQUIPMENT SHALL BE MAINTAINED IN GOOD OPERATING CONDITION AND SHALL BE OPERATED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AT ALL TIMES WHEN THE PROCESS EQUIPMENT IS IN OPERATION.
2. ALL PROCESS EQUIPMENT SHALL BE MAINTAINED AND OPERATED SO THAT THERE IS NO LEAKAGE OF AIR CONTAMINANTS TO THE ATMOSPHERE PRIOR TO TREATMENT, OR SEPARATION, IN THE AIR POLLUTION CONTROL EQUIPMENT.
3. ACCESS FACILITIES AND UTILITIES FOR SOURCE TESTING AS REQUIRED BY THE AIR POLLUTION CONTROL OFFICER SHALL BE PROVIDED WHEN SUCH TESTING IS PERFORMED BY THE DISTRICT.
4. THE P.H. OF THE ACID SOLUTION IN THE SCRUBBER TO BE 2.5 MAX., WITH A FLOW RATE OF 140 GPM MIN.
5. THE P.H. OF THE CAUSTIC SOLUTION IN THE SCRUBBER TO BE 9 MINIMUM, WITH A FLOW RATE OF 140 GPM MINIMUM.
6. THE OUTLET TEMPERATURE OF THE SCRUBBER TO BE MAINTAINED AT 100 DEGREE F PLUS OR MINUS 5 DEGREE F.
7. THE ODOR CONCENTRATION IN THE EXHAUST GASES FROM THE SCRUBBER STACK TO BE LIMITED TO 200 ODOR UNITS.
8. THE AIR POLLUTION CONTROL DISTRICT MUST BE NOTIFIED OF ANY BREAKDOWN OR MALFUNCTION OF THE AIR POLLUTION CONTROL EQUIPMENT.
9. GOOD HOUSEKEEPING PRACTICES SHALL BE CONTINUOUSLY MAINTAINED IN AND AROUND THE PRODUCT HOPPERS, FINAL PROCESS LINE AND LOADING AREAS TO PREVENT THE ACCUMULATION OF MATERIAL IN THE YARD AND ACCESS ROAD AREAS.

APPLICATION

WITHIN 10 DAYS AFTER RECEIPT OF THIS PERMIT, THE APPLICANT MAY PETITION THE HEARING BOARD TO REVIEW ANY CONDITION THAT HAS BEEN MODIFIED OR ADDED TO THE PERMIT. (RULE 25 AND REGULATION V)

ANY AND ALL CONDITIONS WHICH HAVE BEEN APPLIED TO THIS PERMIT WILL REMAIN IN FULL FORCE AND EFFECT UNLESS EXPRESSLY MODIFIED BY THE AIR POLLUTION CONTROL DISTRICT.

IF THIS APPLICATION IS ACCOMPANIED BY A REQUEST TO FURNISH PERTINENT INFORMATION CONCERNING THIS EQUIPMENT, THE APPLICANT MUST FURNISH SUCH INFORMATION. FAILURE TO DO SO COULD LEAD TO SUSPENSION OF THE PERMIT TO OPERATE.

(SIGNATURE OF APPLICANT)

RETURN THIS APPLICATION WITH CHECK PAYABLE TO
SAN DIEGO COUNTY APCD
FOR FEE AMOUNT SHOWN

Figure 3-7. Specific Permit Conditions

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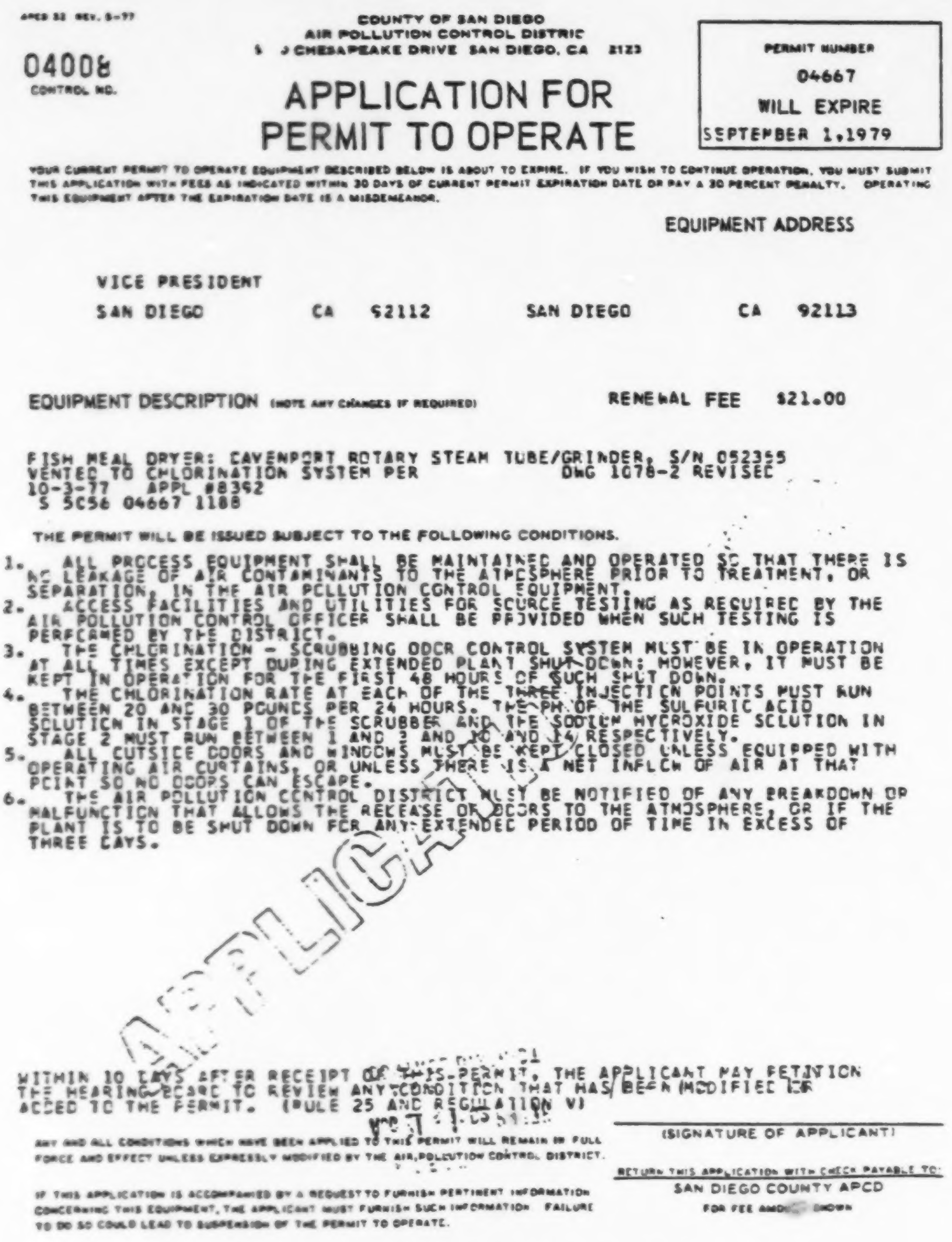


APCD 32 REV. 5-77

COUNTY OF SAN DIEGO
AIR POLLUTION CONTROL DISTRIC
5   J CHESAPEAKE DRIVE SAN DIEGO, CA   2123

04008
CONTROL NO.

APPLICATION FOR
PERMIT TO OPERATE

PERMIT NUMBER
04667
WILL EXPIRE
SEPTEMBER 1,1979

YOUR CURRENT PERMIT TO OPERATE EQUIPMENT DESCRIBED BELOW IS ABOUT TO EXPIRE. IF YOU WISH TO CONTINUE OPERATION, YOU MUST SUBMIT THIS APPLICATION WITH FEES AS INDICATED WITHIN 30 DAYS OF CURRENT PERMIT EXPIRATION DATE OR PAY A 30 PERCENT PENALTY. OPERATING THIS EQUIPMENT AFTER THE EXPIRATION DATE IS A MISDEMEANOR.

EQUIPMENT ADDRESS

VICE PRESIDENT
SAN DIEGO   CA   92112   SAN DIEGO   CA   92113

EQUIPMENT DESCRIPTION (NOTE ANY CHANGES IF REQUIRED)   RENEWAL FEE $21.00

FISH MEAL DRYER: CAVENPORT ROTARY STEAM TUBE/GRINDER, S/N 052355
VENTED TO CHLORINATION SYSTEM PER   DWG 1078-2 REVISED
10-3-77   APPL #8392
S 5C56 04667 1188

THE PERMIT WILL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS.

1. ALL PROCESS EQUIPMENT SHALL BE MAINTAINED AND OPERATED SO THAT THERE IS NO LEAKAGE OF AIR CONTAMINANTS TO THE ATMOSPHERE PRIOR TO TREATMENT, OR SEPARATION, IN THE AIR POLLUTION CONTROL EQUIPMENT.
2. ACCESS FACILITIES AND UTILITIES FOR SOURCE TESTING AS REQUIRED BY THE AIR POLLUTION CONTROL OFFICER SHALL BE PROVIDED WHEN SUCH TESTING IS PERFORMED BY THE DISTRICT.
3. THE CHLORINATION - SCRUBBING ODOR CONTROL SYSTEM MUST BE IN OPERATION AT ALL TIMES EXCEPT DURING EXTENDED PLANT SHUT-DOWN; HOWEVER, IT MUST BE KEPT IN OPERATION FOR THE FIRST 48 HOURS OF SUCH SHUT DOWN.
4. THE CHLORINATION RATE AT EACH OF THE THREE INJECTION POINTS MUST RUN BETWEEN 20 AND 30 POUNDS PER 24 HOURS. THE PH OF THE SULFURIC ACID SOLUTION IN STAGE 1 OF THE SCRUBBER AND THE SODIUM HYDROXIDE SOLUTION IN STAGE 2 MUST RUN BETWEEN 1 AND 3 AND 10 AND 14 RESPECTIVELY.
5. ALL OUTSIDE DOORS AND WINDOWS MUST BE KEPT CLOSED UNLESS EQUIPPED WITH OPERATING AIR CURTAINS, OR UNLESS THERE IS A NET INFLOW OF AIR AT THAT POINT SO NO ODORS CAN ESCAPE.
6. THE AIR POLLUTION CONTROL DISTRICT MUST BE NOTIFIED OF ANY BREAKDOWN OR MALFUNCTION THAT ALLOWS THE RELEASE OF ODORS TO THE ATMOSPHERE, OR IF THE PLANT IS TO BE SHUT DOWN FOR ANY EXTENDED PERIOD OF TIME IN EXCESS OF THREE DAYS.

APPLICATION

WITHIN 10 DAYS AFTER RECEIPT OF THIS PERMIT, THE APPLICANT MAY PETITION THE HEARING BOARD TO REVIEW ANY CONDITION THAT HAS BEEN MODIFIED OR ADDED TO THE PERMIT. (RULE 25 AND REGULATION V)

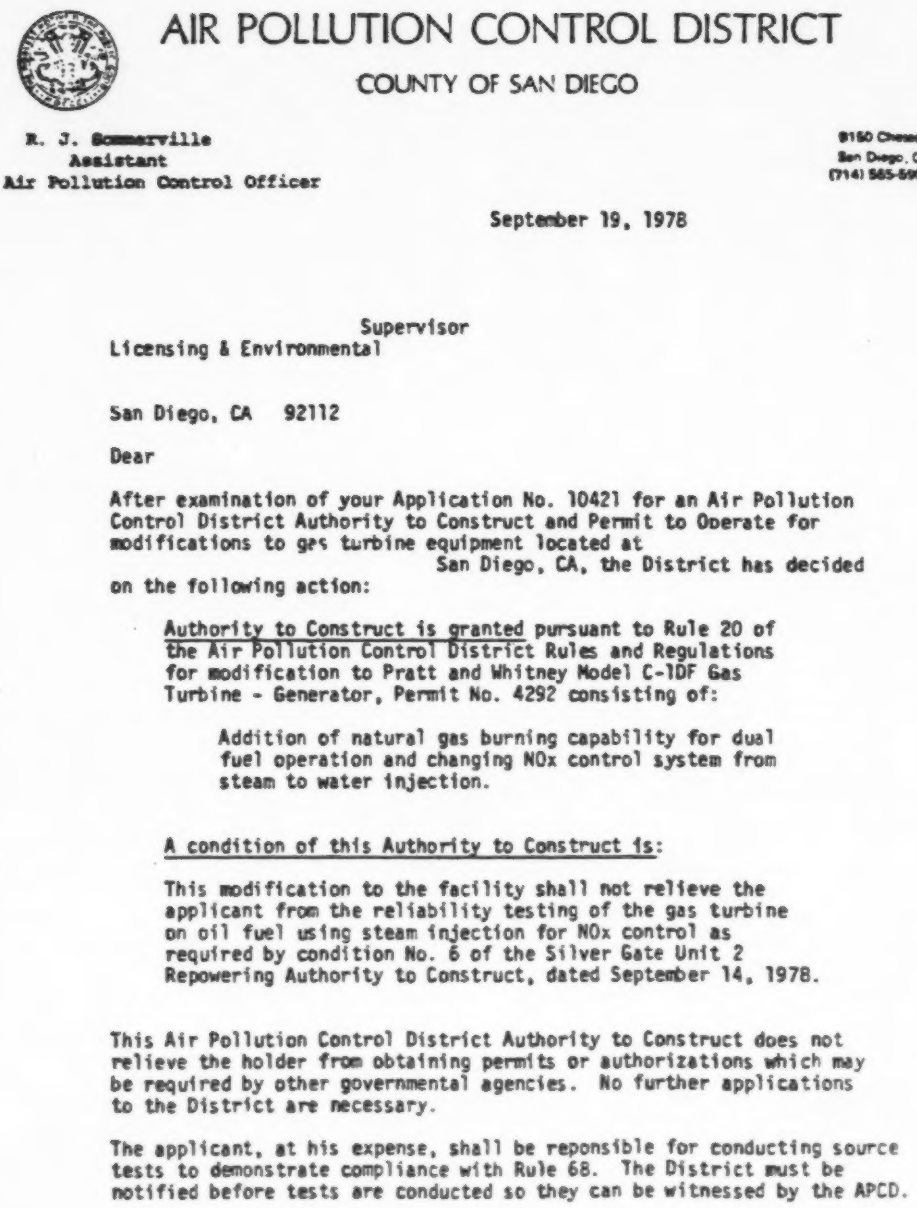
ANY AND ALL CONDITIONS WHICH HAVE BEEN APPLIED TO THIS PERMIT WILL REMAIN IN FULL FORCE AND EFFECT UNLESS EXPRESSLY MODIFIED BY THE AIR POLLUTION CONTROL DISTRICT.

IF THIS APPLICATION IS ACCOMPANIED BY A REQUEST TO FURNISH PERTINENT INFORMATION CONCERNING THIS EQUIPMENT, THE APPLICANT MUST FURNISH SUCH INFORMATION. FAILURE TO DO SO COULD LEAD TO SUSPENSION OF THE PERMIT TO OPERATE.

(SIGNATURE OF APPLICANT)

RETURN THIS APPLICATION WITH CHECK PAYABLE TO:
SAN DIEGO COUNTY APCD
FOR FEE AMOUNT SHOWN

Figure 3-8. Specific Permit Conditions



AIR POLLUTION CONTROL DISTRICT

COUNTY OF SAN DIEGO

R. J. Sommerville
Assistant
Air Pollution Control Officer

9150 Chesapeake Drive
San Diego, Calif. 92123
(714) 565-5901 (MS 0176)

September 19, 1978

Supervisor
Licensing & Environmental

San Diego, CA 92112

Dear

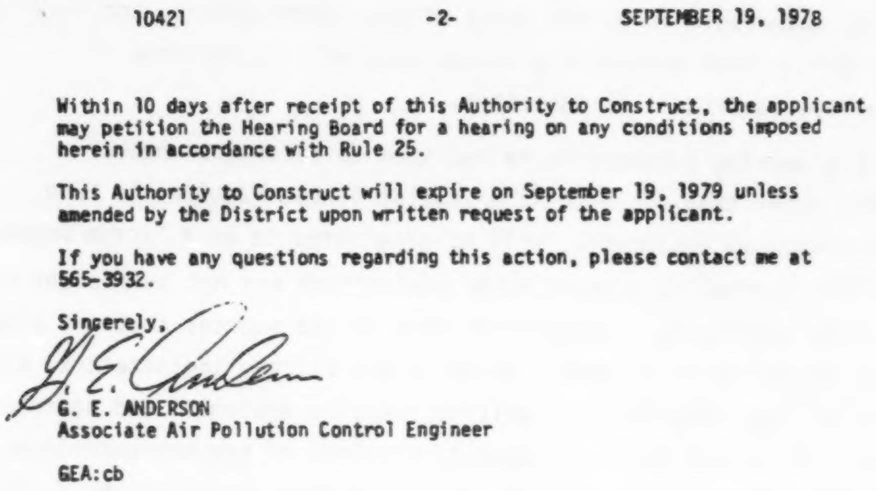
After examination of your Application No. 10421 for an Air Pollution Control District Authority to Construct and Permit to Operate for modifications to gas turbine equipment located at San Diego, CA, the District has decided on the following action:

> Authority to Construct is granted pursuant to Rule 20 of the Air Pollution Control District Rules and Regulations for modification to Pratt and Whitney Model C-10F Gas Turbine - Generator, Permit No. 4292 consisting of:
>
> > Addition of natural gas burning capability for dual fuel operation and changing NOx control system from steam to water injection.
>
> A condition of this Authority to Construct is:
>
> This modification to the facility shall not relieve the applicant from the reliability testing of the gas turbine on oil fuel using steam injection for NOx control as required by condition No. 6 of the Silver Gate Unit 2 Repowering Authority to Construct, dated September 14, 1978.

This Air Pollution Control District Authority to Construct does not relieve the holder from obtaining permits or authorizations which may be required by other governmental agencies. No further applications to the District are necessary.

The applicant, at his expense, shall be reponsible for conducting source tests to demonstrate compliance with Rule 68. The District must be notified before tests are conducted so they can be witnessed by the APCD.

Figure 3-9. Specific Permit Conditions



10421 -2- SEPTEMBER 19, 1978

Within 10 days after receipt of this Authority to Construct, the applicant may petition the Hearing Board for a hearing on any conditions imposed herein in accordance with Rule 25.

This Authority to Construct will expire on September 19, 1979 unless amended by the District upon written request of the applicant.

If you have any questions regarding this action, please contact me at 565-3932.

Sincerely,

G. E. ANDERSON
Associate Air Pollution Control Engineer

GEA:cb

Figure 3-9. Specific Permit Conditions (Concluded)

evaluations will be relied upon. If, however, the emissions are not readily observable as in the cases of NO_x, hydrocarbons, and very small particulate emissions a source test will be required if borderline compliance is suspected.

Engineering judgment is relied upon to determine whether a source, other than those in Rule 19.2(b) (those required to have self-monitoring equipment), will be considered to be a "large source." For these sources visible emission evaluations are not sufficient to determine compliance. Examples of some of the sources that are always source tested prior to permit issuance are all new incinerators, and almost all new metallurgical melting/sweating equipment and aggregate driers. No source tests are usually required of new non-petroleum based drycleaners, solvent wash tanks, and spray paint booths as material balance surveys are sufficient.

As this is a relatively new program not all testable sources have been tested. Many of the already existing sources had been, in effect, "grandfathered" in. In an effort to remedy this problem the District is now attempting to expand its testing to include existing sources such as, but not limited to, small incinerators, bake out ovens, sweat furnaces, and brake debonders.

If a source test is determined to be required as a condition for permit issuance, the source is responsible to provide the District with all utilities and access needed in order to conduct an accurate test. For new permits and annual permit renewals the source is required to conduct and pay for the test in the presence of an APCD representative. If, on the other hand, a source test is required as a result of a complaint or deemed necessary in order to determine whether a source is in compliance by an inspector at a time other than that for annual renewal the District is reponsible for the expenses incurred for the source test.

Once the field evaluation has been conducted and the application approved, it is sent to a Division senior engineer (mechanical, chemical, or vapor recovery) for final approval. The appropriate senior engineer has final discretion regarding approval or denial of permit issuance.

If the permit for which application was sought involved the authority to construct a particular piece of equipment, the source is required to notify the District after the completion of installation. At that time it is necessary to arrange for a final evaluation of the equipment by the District to verify that compliance has been achieved. This evaluation is again conducted by the Division of Engineering and proceeds from the point of the staff engineer office evaluation to final review by the senior engineer. Table 3-1 summarizes permit processing times for initial evaluations of authorities to construct and permits to operate and processing times needed to process renewals of permits to operate.

If for any reasons the source applying for the permit believes that its application was incorrectly denied or conditions improperly imposed, it has the option to request a public hearing before the Air Pollution Control Board. Rather than proceed with that course of action the source may choose to resubmit its application to the APCD at a later date when the appropriate inadequacies or ambiguities have been rectified. (Refer to Figures 3-1, 3-3, 3-4 and 3-5.) (The legal aspects and procedures will be dealt with in the Sanction Section, 3.5.)

The engineering review process represents a substantial portion of the permitting process. To assure that a complete and unbiased evaluation is accorded, it is necessary that all phases of all operations be analyzed thoroughly and objectively ruled upon. To assure that this occurs, published criteria of acceptable

Table 3-1. PERMIT PROCESSING TIMES
(Man-hours)

Schedule Number	Type	Initial Process Time[a]		Renewal Process Time[b]	
		Minimum	Maximum	Minimum	Maximum
1	Abrasive blasting equipment	4.0	4.0	0.83	4.25
2	Roofing kettles used to heat asphalt	2.0	4.0	0.83	4.25
3	Asphalt tankers used to transport and transfer hot asphalt	2.0	4.0	0.50	2.5
4	Deleted - does not require permits				
5	Abrasive blasting cabinets	4.0	6.0	0.75	2.5
6	Rock drills	4.0	6.0	0.83	2.75
7	Tire buffers	4.0	6.0	0.75	2.5
8	Sand, rock, and aggregate screens	4.0	6.0	0.75	2.5
9	Boilers, heaters, gas turbines, asphalt heaters				
	(a) <50 x 10^6 Btu/hr	4.0	6.0	0.75	2.5
	(b) ≥50 x 10^6 Btu/hr	6.0	12.0	0.75	3.5
10	Concrete batch plants, etc.				
	(a) ≤25 yd³/hr	4.0	6.0	[illegible]	4.0
	(b) >25 yd³/hr	8.0	12.0	1.0	4.0
11	Nonmunicipal incinerators	8.0	12.0	0.75	3.0
12	Burn-out ovens	8.0	12.0	0.75	[illegible]
13	Core ovens	8.0	12.0	0.75	1.5
14	[illegible] converters	12.0	20.0	0.75	2.75
15	Metal melting and sweating furnaces	8.0	12.0	0.75	2.75
16	Feed mills	12.0	20.0	0.83	4.0
17	Hot-mix asphalt paving batch plants	12.0	20.0	1.25	3.5
18	[illegible] plants	12.0	20.0	1.0	3.0
19	Rock and aggregate plants	12.0	20.0	1.25	4.75
20	Brick plants	12.0	20.0	1.75	3.5
21	Salt bath - heat treat furnaces	8.0	12.0	0.75	1.5
22	Cupola furnaces	8.0	12.0	2.25	4.0
23	Bulk transfer and storage equipment	12.0	20.0	1.0	4.0
24	Gasoline bulk plants and terminals				
	Throughput ≥5 x 10^6 gal/yr				
	(a) per floating roof tank	[illegible][c]	[illegible][d]	1.67	2.83
	(b) per fixed roof tank	[illegible][c]	[illegible][d]	0.75	3.0
	(c) per truck loading rack with vapor processor (floating and fixed roof)		46.0[d]		
	(d) per truck loading rack with vapor processor (floating roof)		40.0[d]	1.67	2.83
	(e) per truck loading rack with vapor processor (fixed roof)		72.0[d]	0.75	3.0
	Throughput <5 x 10^6 gal/yr				
	(a) per tank		[illegible][c]	1.67	2.83
	(b) per tank		[illegible][d]	0.75	3.0
25	Gasoline dispensing (outside of terminal plants)				
	(a) Phase I[c]		1.0		
	(b) Phase I[d]		2.0		2.00
	(c) Phase II[c]	1.25	4.75		
	(d) Phase II[d]	8.0	14.75		2.25
26	Paint spray booths (high solvent)	8.0	12.0	1.0	[illegible]
27	Paint spray booths (low solvent)	8.0	12.0	1.0	[illegible]
28	Curing or baking ovens	8.0	12.0	0.75	3.0
29	Degreasers	4.0	8.0	0.75	3.0
30	Paint or solvent disposal, etc.	8.0	12.0	0.75	3.0
31	Drycleaning facilities using halogenated HC	4.0	8.0	0.75	3.0
32	Drycleaning, petroleum based facilities	4.0	8.0	0.75	3.0
33	Electroplating and other material [illegible] equipment	4.0	8.0	0.75	3.0
34	[illegible]	8.0	12.0	0.75	3.0
35	Waste disposal shredder units[e]				
36	Waste disposal air classifier units[e]				
37	Waste disposal dryer units[e]				
38	Waste disposal pyrolysis reactor units[e]				
39	Gas turbine test cells ([illegible])	4.0	6.0	1.0	2.0
40	Gas turbine test cells ([illegible])	4.0	6.0	0.75	2.0

[a] Applies to authorities to construct and permits to operate

[b] Applies only to permits to operate

[c] Authority to construct

[d] Permit to operate

[e] The District has no experience with these industrial operations, hence, permit processing times have not been developed

emission parameters are made available by DE. However, no design parameters have been established so as not to create the impression that one company's products or services are superior to another's. The applicant is encouraged to employ the services of a consultant or design its own method of compliance with reference to EPA's AP-40 engineering manual. To aid industry within the District in the selection of a qualified consultant, a representative list of companies is provided by the District to the applicant to enable it to make an informed decision.

No O&M guidelines are published at all. All sources are handled on an individual basis with the engineering department assisting if necessary. The engineering department will require that minimum standards be met, but will dictate to the source what is to be done. What the engineering department sees to be necessary as minimum standards will be included in the permit to operate as a condition.

As a result of the experience acquired in the processing, evaluation, and source testing areas, and open communication with the air pollution control industry, the APCD has attained and implemented high-level review criteria within its District. Although no preconceived or unwritten control equipment standards or procedures are used by the agency, a certain amount of leeway is accorded certain contractors, primarily those in the vapor recovery sector.

It was explained that due to the vast number of service stations in the District, it would be highly impractical and unproductive to monitor every phase of installation of the required vapor recovery equipment, especially in light of the fact that only a limited number of reputable contractors perform these operations within the District.

3.3 ENFORCEMENT

A permit to operate is issued to a source upon the completion of the construction phase of an industry's operation and subsequent source test and office analysis by the Division of Engineering. Henceforth, it is primarily the responsibility of the DSE to monitor and inspect the permit holder's operations.

Prior to January 1, 1973, permanent operating permits were issued. Since that date, all permanent operating permits have been systematically phased out and an annual permitting system has been implemented. The District's annual operating permits are issued on a conditional basis dependent upon whether or not the particular permitted process was within compliance at the time of inspection. Initially, all permits had to be typewritten by staff personnel; this required the expenditure of vast amounts of man-hours. To minimize the effort involved in the implementation of this system, a computer program was devised.

The computer program contains all of the process descriptions for all sources in the District. In addition, it has the conditions imposed on each source. Originally, the program was used solely for permit renewals; original permits to operate, and authorizations to construct had to be typewritten. Recently, the system has been made available for use in the issuance of the new permits to operate.

The new permit process has been simplified by the operator only having to enter generalized data (if no specific conditions are necessary) relevant to the equipment to be permitted and any features peculiar to that equipment. Upon the entering of these data the program, as designed, selects the appropriate conditions to be imposed on the source. The computer then automatically prints the permit, lists the conditions, and adds the permit to the others of the same source to coordinate the record system as to source and permit renewal date. (See Figures 3-6, 3-7, 3-8 and 3-9).

The original permitting process provided for the annual renewal of permits on January 1st of every year. To streamline the inspection process, reduce process interruptions, and maximize inspection man-hours, all permits are issued on a staggered renewal basis. For any one source they are renewable annually on the same date, regardless of the date of issuance of any one permit for that source.

The computer program has incorporated a notice function vastly improving the inspection process. Sixty days prior to the expiration of a source's permits, the computer provides the District's inspector with a complete list of the permitted equipment that is to be inspected. This allows the inspector to more efficiently plan his/her inspection schedule and affords time for preparation, if ncessary. Permit requirements may be altered at the time of renewal, but generally they remain the same unless the process or the regulations have changed.

Although inspections are generally unannounced (notification of inspection and appointments are made when the source to be inspected involves many operations requiring a time-consuming visit), it is not difficult to know when a source will be inspected, because a permit expires at the same time each year. This drawback might only be mitigated by the fact that all sources are subject to visible inspections or on-the-spot inspections within the discretion of the inspector assigned to the source's sector. (See Figure 3-10 for a map of the San Diego APCD inspection sectors). In reality, however, the likelihood of this is rare. The exception is where there have been complaints filed by the public or emission violations are readily apparent to the inspector during the conduction of his/her rounds.

As of the date of this report, there are in excess of 3,200 issued permits to operate in the San Diego APCD (refer to Table 3-2). In addition to these permits, it is estimated that another 150 permits will be issued in the near future for Phase I vapor recovery systems. Due to Phase II permit requirements it is estimated that an additional 1,600 permits will have to be issued.*

---

*SDAPCD is now in the midst of an aggressive effort to control hydrocarbon emissions by using vapor recovery control systems. This effort has resulted in the implementation of a two-phase plan to regulate sources producing these emissions. Phase I of the plan pertains to the installation and maintenance of a balance system for underground storage tanks to recover vapors emitted during gasoline bulk drops. This phase represents approximately 400 of the already issued permits and 150 pending permits. Phase II of the District Vapor Recovery Act, requiring the capture of vapors during vehicle dispensing operations at service stations within the District has been approved by the Air Pollution Control Board. This issue is responsible for the issuance of a major portion of the variances that have been granted by the Hearing Board. Specifically involved is a requirement that all facilities installed before July 1, 1978 with a gasoline throughput of between 2,000 and 30,000 gallons per month attain a 90 percent level of vapor recovery; those less than 2,000 gallons per month are exempt and those in excess of 30,000 gallons per month attain 95 percent level of vapor recovery. (As of July 1, 1978 all *new* installations with a throughput in excess of 2,000 gallons per month must meet the 95 percent level of vapor recovery). Presently, there are eight Phase II permits that have been issued with an expected increase of approximately 1,600 assuming full compliance within the next 2 years.

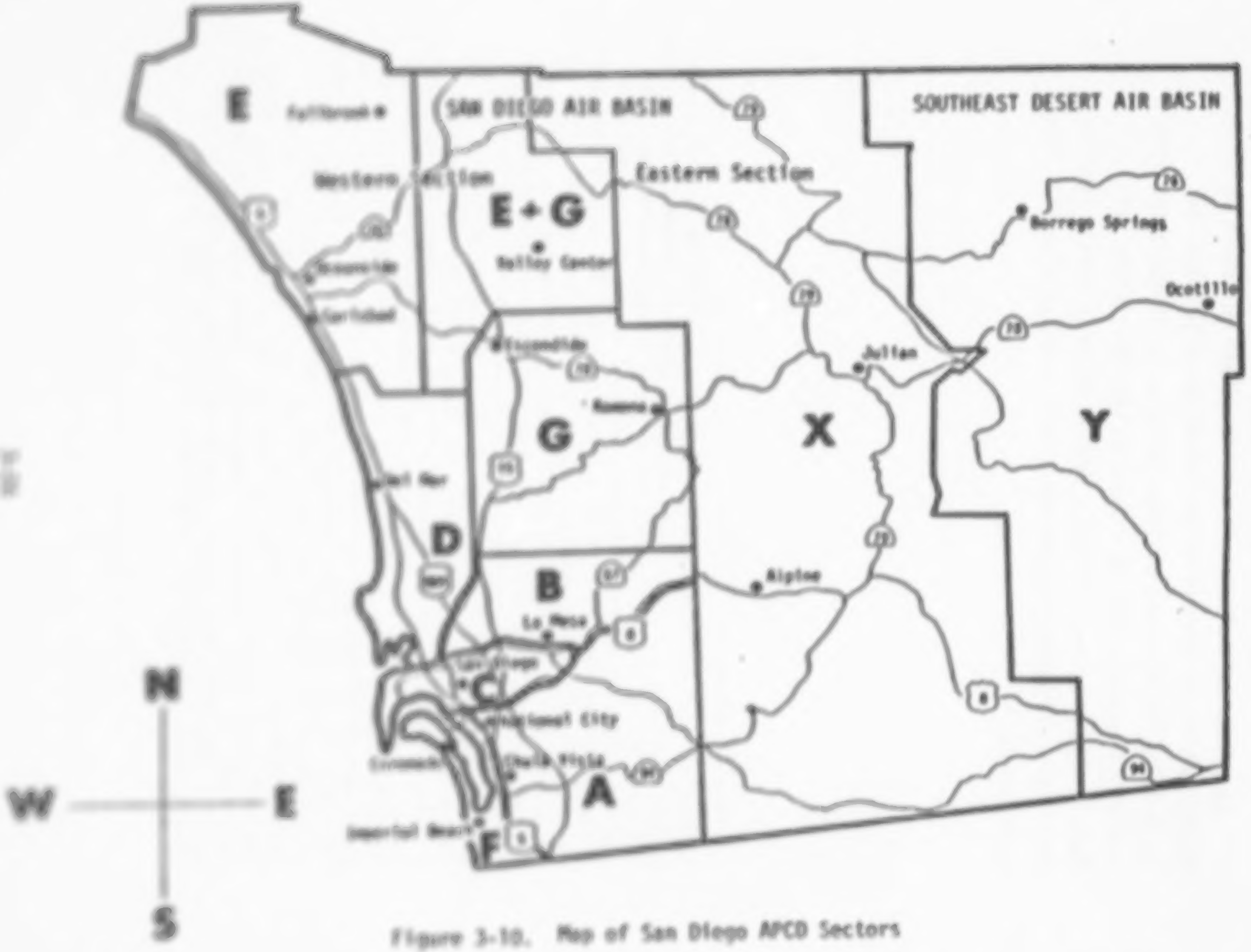

E
Fallbrook
SAN DIEGO AIR BASIN
Western Section
Oceanside
Carlsbad
E + G
Valley Center
Eastern Section
SOUTHEAST DESERT AIR BASIN
Borrego Springs
Ocotillo
Escondido
Ramona
Julian
G
X
Y
Del Mar
D
B
La Mesa
Alpine
San Diego
C
National City
Coronado
Chula Vista
A
Imperial Beach
F
N
W
E
S

Figure 3-10. Map of San Diego APCD Sectors

Scale: 1" = 11 miles

Table 3-2. ENFORCEMENT STATISTICS FOR SAN DIEGO APCD

[illegible]	[illegible]	[illegible]			Exemptions (Rule 11)			[illegible]			Total Rule 61 Items That are Exempt	Sites Subject to Phase I Within Geographical Sector (NR)	Sites Subject to Phase II Within Geographical Sector (NR)
[illegible]	[illegible]	Rule 61 Permits	Total Permits	Rule 10 Permits	Rule 61 Exemptions	Total Exemptions	Rule 10 Exemptions	Rule 61 Items	Total Items	Rule 10 Items (Out of Service)		Gasoline Sites Subject to Phase I (Installed) (VR)	Gasoline Sites Subject to Phase II (VR)
[illegible]	[illegible] [illegible]	[illegible]	[illegible]	[illegible]	15	1,790	27	9	20	50	69	25 64	20 295
[illegible]	[illegible] [illegible]	[illegible]	[illegible]	[illegible]	10	2,095	39	12	31	32	90	34 30	36 188
[illegible]	[illegible] [illegible]	[illegible]	[illegible]	[illegible]	10	1,530	25	11	22	54	68	21 25	26 257
[illegible]	[illegible] [illegible]	[illegible]	[illegible]	[illegible]	11	2,325	[illegible]	7	29	38	44	11 57	16 233
[illegible]	[illegible] [illegible]	[illegible]	[illegible]	[illegible]	27	1,305	[illegible]	8	26	25	90	18 69	6 176
[illegible]	[illegible] [illegible]	[illegible]	[illegible]	[illegible]	14	1,050	[illegible]	8	18	23	63	22 26	19 99
[illegible]	[illegible] [illegible]	[illegible]	[illegible]	[illegible]	17	1,097	38	5	15	23	30	14 33	5 121
[illegible]	[illegible]	[illegible]	[illegible]		2	[illegible]				12	7	0	5
[illegible]	[illegible]	[illegible]	[illegible]		1	[illegible]				32	5	1	3
[illegible]	[illegible]	[illegible]	[illegible]		3	3,637				52	63	4	56
[illegible]	[illegible]	[illegible]	[illegible]		26	75				14	107	27	37
[illegible]	[illegible]	[illegible]	[illegible]		6	16				7	20	10	8
[illegible]	[illegible]	[illegible]	[illegible]										
[illegible]	[illegible]	[illegible]			17,605			573			690	[illegible]	1,966

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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A recent development has been that the San Diego APCD, as well as other local agencies, are able to require that Federal agencies apply for and pay for permits to operate and authorizations to construct. This is a further indication of the decrease in Federal immunity to local regulations, and has resulted in a substantial increase in the number of permits issued. (Previously, federal installations had been exempted from local regulation). It is estimated that the U.S. Navy alone, will be issued approximately 800 permits in the upcoming year. Some of these permits have already been issued and another 100 are estimated to be issued to the balance of the Federal agencies situated within the District.

The inclusion of these sources will not only substantially increase the amount of workload to be performed within the District, but will also increase the amount of revenues remitted to the County and City of San Diego in the form of permit fees. Although the revenue increase will be directly attributed to the APCD, there are purportedly no monetary incentives involved for the District. All fees will be deposited into the County general fund for use by the County.

The County Counsel has issued a recent opinion that is to be adhered to by the APCD stating that Government Code Section 6103 precludes the collection of fees by the APCD from any state, county, city, or political subdivision. This provision is considered by the District to be inequitable, especially in light of the recent vulnerability of the Federal Government to local regulation, and will undoubtedly be challenged. The net effect of this opinion is the reduction in annual revenues from permit renewals of approximately $2,700 with no effect upon the requirement that the sources be permitted.

3.4 COMPLIANCE

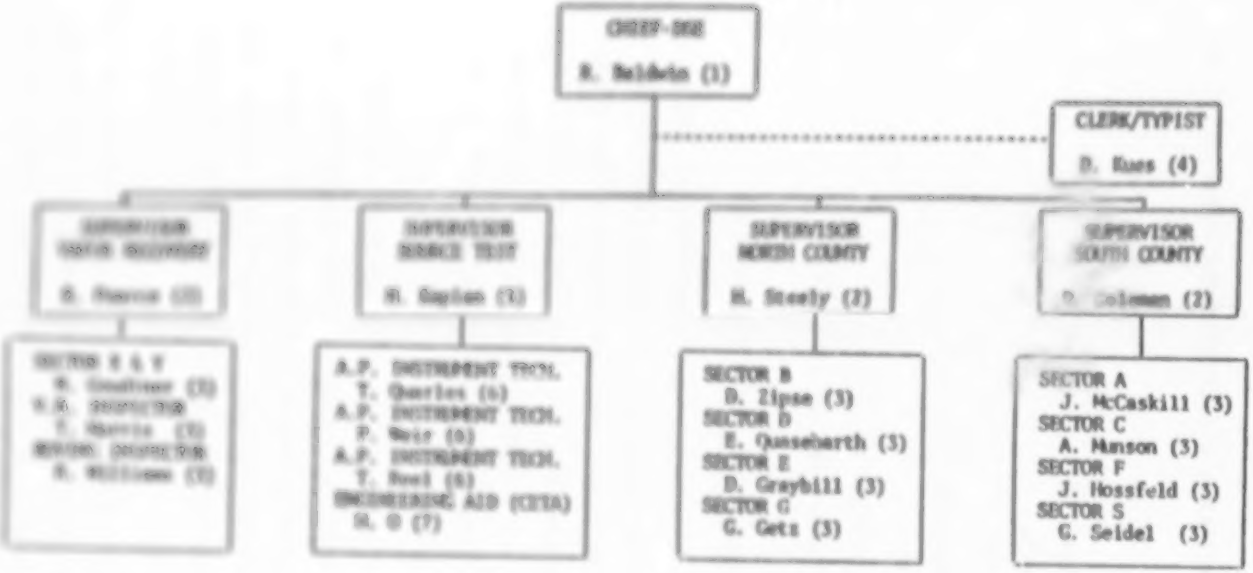
The Division of Surveillance and Enforcement consists of the following personnel:

- Chief (1)
- Supervising Inspectors (3)
- Technical Inspector (1)
- Sector Inspectors (7)
- Vapor Recovery Inspectors (2)
- Roving Inspector (1)
- Senior Air Pollution Chemist (1)
- Air Pollution Instrument Technicians (3)
- Engineering Aide (1)
- Full-Time Clerk/Typist (1)   (See Figure 3-11)

The three Supervising Inspectors are classified as Inspector IIs. One of the Supervising Inspectors is responsible for the Technical Inspector and the three southern sectors of San Diego City, while another is responsible for the balance of the District's sectors. The third Supervising Inspector is responsible for vapor recovery throughout the District as well as the Roving Inspector (see Figure 3-10).

As of the date of this report there are no plans for the District to rotate the sector assignments of the inspectors. This raises the potential issue that inspectors assigned to a particular sector for the length of their employment may become too familiar with the sources and tend to be less objective in their observations and reporting.

Sector Inspectors conduct area surveillance to locate new and permitted sources in violation of the visible emission standards, for operating without a permit or operating without regard to the conditions imposed on a permit. They also respond to complaints


CHIEF-DSE
R. Baldwin (1)
CLERK/TYPIST
D. Kues (4)
SUPERVISOR
[illegible]
D. Pearce (2)
SECTOR X & Y
[illegible] (3)
A.P. INSPECTOR
T. Harris (3)
SENIOR INSPECTOR
R. Williams (3)
SUPERVISOR
SOURCE TEST
H. Gaylan (5)
A.P. INSTRUMENT TECH.
T. Quarles (6)
A.P. INSTRUMENT TECH.
P. Weir (6)
A.P. INSTRUMENT TECH.
T. Reel (6)
ENGINEERING AID (CETA)
N. O (7)
SUPERVISOR
NORTH COUNTY
H. Steely (2)
SECTOR B
D. Zipse (3)
SECTOR D
E. Quesebarth (3)
SECTOR E
D. Graybill (3)
SECTOR G
G. Getz (3)
SUPERVISOR
SOUTH COUNTY
D. Coleman (2)
SECTOR A
J. McCaskill (3)
SECTOR C
A. Munson (3)
SECTOR F
J. Hossfeld (3)
SECTOR S
G. Seidel (3)

CIVIL SERVICE CLASSIFICATIONS

(1) Chief, APC Surveillance and Enforcement - 3702
(2) Air Pollution Inspector II - 3869
(3) Air Pollution Inspector I - 3847
(4) Intermediate Clerk/Typist - 2700
(5) Senior Air Pollution Chemist - 3868
(6) Air Pollution Instrument Technician - 3848
(7) Engineering Aid (CETA) - 8309

Figure 3-11. Division of Surveillance and Enforcement

received from District residents and provide permit assistance to the Division of Engineering by documenting process operations as well as making visible emission evaluations. (Refer to Table 3-3.)

As previously discussed, sector inspectors are assigned annual inspections to be performed by the staggered permit system incorporated in the computer program. Every effort is made to observe the sources' operations while at normal load. During these inspections it is determined if the source is in compliance with the District's regulations, if conditions assigned to the issued permits are being abided by, and, in the case of a variance granted by the Hearing Board, if the operation is being conducted within the limits of the variance.

Included in the computer program are potential sources located within the sectors of the District that are not presently in operation or, for one reason or another, are exempted from the District's regulations such as, motor vehicles covered by the California Vehicle Code, equipment to be utilized only for a dwelling of not more than four families, and other specified pieces of equipment (Rule 11 of the County of San Diego Air Pollution Control District's Rules and Regulations). These sources are also checked to verify that their exempt or nonuse status, if applicable, should be maintained.

Compliance/noncompliance is determined by various means:

- External opacity observations
- Equipment inspection
- Inspection of continuous monitor records (not required for stack monitoring until October 6, 1978)
- Source tests
- Collection of materials for laboratory evaluation
- Collection of damage evidence

Table 3-3. SAN DIEGO APCD FIELD ACTIVITIES AND ENFORCEMENT ACTIONS

Category	Prior to 1973	1973	1974	1975	1976	1977	Calendar Year 1978 (To Oct)
Field Activities							
Enforcement investigations	--	--	--	--	3,053	2,508	2,092
Compliance inspections	--	--	--	87	849	1,078	910
Annual formal inspections	--	--	--	1,987	1,876	1,418	1,427
Permit assistance	10,655	3,419	4,174	2,320	121	295	37
Surveillance investigation	33,171	16,580	18,083	15,654	9,005	6,706	4,373
Complaints received	1,883	487	487	347	399	415	358
Complaint investigations	6,257	1,341	1,624	1,630	1,337	1,731	1,288
Enforcement Actions							
Notice to apply (A/C-PO warning)	233	3	0	--	--	--	--
First notice of violation	230	78	175	187	213	213	203
Second (or more) violations	60	59	60	71	101	102	102
Citations*	--	--	--	--	1	5	0

* Explained in Definitions Section

Note: The reason for the difference in numbers of "Complaints Received" and "Complaint Investigations" is due to the fact that more than one inspection may be required to collect enough data to come to a conclusion as to whether a source is in violation of the District's rules and regulations.

It was estimated that visual observations (surveillance) account for 32 percent of the notice of violations issued in the District, source tests account for 2 percent, equipment observations made during inspections account for 65 percent, and complaints filed by citizens represent the remaining 1 percent.

All major point sources of 100 tons or more are source tested annually if practicable, while other testable sources are tested on a priority basis as determined by the magnitude and frequency of noncompliance. The tests are conducted during operational hours to accurately reflect the source's emissions. If organic solvents are involved in a sources' process, a material balance study is conducted. If oil is brought into the District, samples are taken and sent to a laboratory for analysis based on the sulfur content of the product (0.5 percent, all shipments tested; ≤ 0.2 percent, shipments tested randomly). These oil samples are integrated so that a shipment of, for example, 20-30,000 gallons can be accurately represented by running the entire volume past a testing nozzle and drawing from that nozzle a minute sample.

If there has been damage caused by a source's operations, inspections are performed to determine the extent and source of the damage. Any available evidence is collected and used to trace the cause to the particular source responsible.

Stack self-monitoring and recording requirements, which came into effect in October, 1978, will further enable the APCD to maintain accurate records of the 24-hour operating schedules of the sources within the District. These requirements have been partially adopted from those used in the Federal Standards for NESHAPS and NSPS. In addition, specially designed requirements have been promulgated by the APCD to apply to the specific sources located within the District. For example, one source is required by the District, beyond NSPS and NESHAPS requirements, to monitor the P.H. of its caustic acid, the rate of water flow, and exhaust temperatures (Rule 19.1 and 19.2, County of San Diego APCD Rules and Regulations). The self-monitoring requirements are sometimes included in the conditions of the permit to operate. These conditions may require the installation of such items as, pH meters, flow meters, and oxygen analyzers. By October 6, 1978, such things as NO_x monitors and reflected light beam opacity meters with continuous strip chart recorders will be required on all major powerplant boiler stacks. All monitoring devices are required to be electronically checked daily as well as routinely maintained by the source to assure accurate readings. These reports may be entered into evidence if court action is necessary.

The Chief of the DSE points out that a major obstacle to the effective operation of his Division was overcome in November 1976 when source testing authorization powers were delegated to him. This action has allowed DSE a vast amount of flexibility. For example, bureaucratic procedures no longer have to be dealt with to get a timely source test. Previously, it was necessary for the Chief of DSE to request that the Chief of Monitoring and Technical Services arrange for a source test. This resulted in unnecessary delays and often negated the effectiveness of the Division's enforcement strategies.

In the present system, inspectors (State Certified Visible Emissions Evaluators) assist the two source test teams maintained by the District by documenting operating conditions according to sources' rates of process. They also make and record these observations on their inspection reports (Refer to Table 3-4).

Table 3-4. SOURCE TESTS PERFORMED BY THE APCD SINCE 1968

Fiscal Year[a]	Particulate	NO_x	Other
Prior to fiscal year 1975-1976	15[b]		
fiscal year 1975-1976	18	29	10
fiscal year 1976-1977	41	34	3
fiscal year 1977-1978	49	62	1
Total	123	125	14
Grand Total	262		

[a] Fiscal years are from July 1 to June 30

[b] Estimated

Equipment lists and other checklists developed by the District are completed and included as part of the written report. Also included in the inspection report are any technical or legal alternatives or remedies that the inspector may have informed the source representative of during his visit.

A problem presently encountered by the District is the chain of custody of the evidence collected. As a larger segment of industry has seen fit, due to economic considerations, to challenge environmental agency sanctions in court, it has been found that a major procedural flaw has existed in the District's evidence collection and storage. In the future a better effort will be needed to assure equipment calibration, the existence of prescribed testing conditions, and a careful monitoring of the chain of custody of the evidence collected. This critical aspect of the legal process is a major element in the effectiveness of the air pollution abatment program. A thorough system of recordkeeping has to be developed as accurate records are vital to an effective enforcement agency.

Three computer programs are utilized to facilitate the District's records maintenance. As previously discussed, a staggered permit program is used to issue new permits and permit renewals and notify the inspectors of upcoming expiration dates. A "status keeper" program is also in use to monitor the physical status of the installation of vapor recovery equipment in the District. The third program involves the maintenance of a record system to check variance and abatement order compliance. The programs are based on key dates relevant to the particular subject matter handled, i.e., variances/abatement orders -- achievement date, date due, and date achieved.

3.5 SANCTIONS

Enforcement success depends on the threat of imposing a fine for violation of an emission standard. Threats of fines encourage industry to maintain the prescribed levels of control unless the expected penalties and court costs are not higher than the cost of control. If it is found that the courts will not generally enforce the rules and regulations as intended by the Legislature, there is little or no incentive for sources to comply with either the APCD rulings or the orders issued by the APCD Hearing Board.

Logically, an expected penalty is a function of the probability of being convicted for being in violation, the monetary fine imposed on the source by the court if convicted, and the possible shutdown time for required repairs or construction if found in violation by either the APCD or the courts. If the possibility factor approaches zero (as may be indicated by Table 3-5; the number of convictions obtained since San Diego APCD's inception through 1977 is 50), and the amount of fines to be imposed are de minimus ($8,590 for the same time period averaging to approximately $215 per conviction, not including suspended fines) industry has little reason to comply other than for public relations considerations.

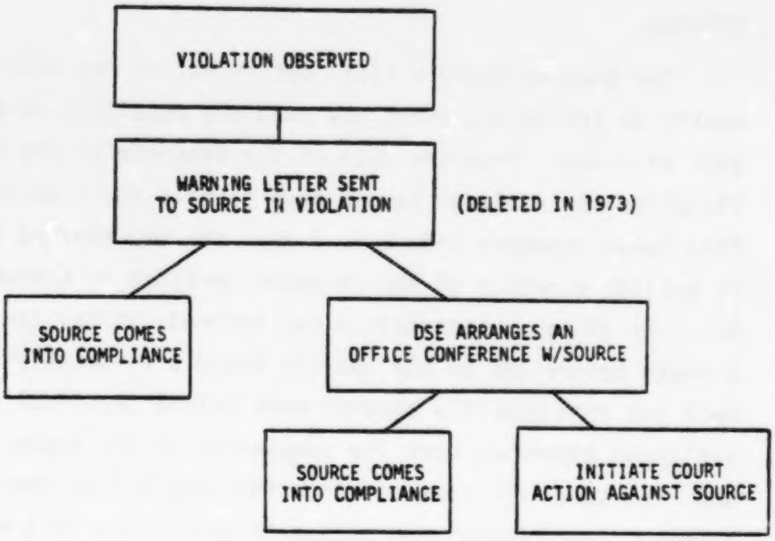
Table 3-5. OFFICE CONFERENCES AND LEGAL ACTIVITIES OF SAN DIEGO APCD

Category	Prior to 1973	1973	1974	1975	1976	1977	Calendar Year 1978 (To Oct)
Office Conferences	0	52	77	26	26	24	10
Legal Activities							
Cases referred to counsel	5	10	12	12	24	34	31
Court cases filed	3	6	13	7	10	10	17
Convictions	2	5	13	2	6	12	16
Fines	$150	$1,450	$3,875	$50	$375	$2,690	$4,165
Fines suspended	--	($ 400)	($2,500)	--	($100)	($ 150)	($ 100)

To deal with industry resistance, San Diego APCD found it necessary to revise its approach at attaining compliance with the District's rules and regulations. Initially, a source found to be in violation was sent a warning letter which specified all the details of the alleged offense(s) and suggested remedies. If the letter did not result in the source attaining compliance or a request for further consultation with the agency was not made, an office conference was arranged. Then, as a last resort, if the conference proved to be of little consequence and no agreement could be reached, an action was filed in court. Approximately 5 years ago that procedure was streamlined to eliminate the warning letter. (See Figure 3-12).

Today, in most cases, when a source is determined to be in violation a Notice of Violation is issued immediately. The Notice of Violation (NOV) notifies the violator that he has committed a misdemeanor and is subject to legal action by the District. Once the NOV is issued, the inspector forwards the facts, as presented in his report, to the Chief of DSE who then decides whether or not to go directly to court. As a matter of policy the District will not prosecute a violator if it is the source's first violation and within 10 days of the issuance of the Notice of Violation the source can either come into compliance or applies for a variance. Although

ORIGINAL PROCEDURE


VIOLATION OBSERVED
WARNING LETTER SENT TO SOURCE IN VIOLATION
(DELETED IN 1973)
SOURCE COMES INTO COMPLIANCE
DSE ARRANGES AN OFFICE CONFERENCE W/SOURCE
SOURCE COMES INTO COMPLIANCE
INITIATE COURT ACTION AGAINST SOURCE

CURRENT PROCEDURE

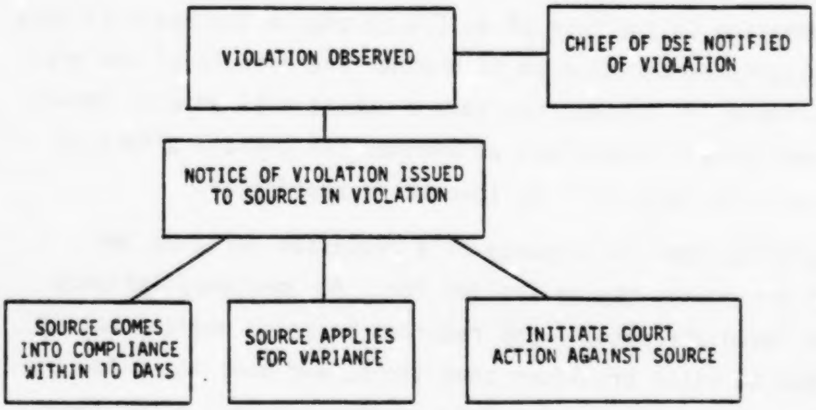

VIOLATION OBSERVED
CHIEF OF DSE NOTIFIED OF VIOLATION
NOTICE OF VIOLATION ISSUED TO SOURCE IN VIOLATION
SOURCE COMES INTO COMPLIANCE WITHIN 10 DAYS
SOURCE APPLIES FOR VARIANCE
INITIATE COURT ACTION AGAINST SOURCE

Figure 3-12. Enforcement Process

the District will not prosecute until the Hearing Board makes its finding the source is still subject to a fine of $500 per day per offense.

The Hearing Board's final determination may take as much as 2 months to arrive at, every day possibly resulting in an additional $500 of fines. From the date of the issuance of the Notice of Violation the violator has 10 days to file for a variance. It then takes anywhere from 5 to 7 days for the Hearing Board clerk to publish a notice of the proposed variance in a newspaper. Once the 30 day notice period has expired, it may take as much as 2 weeks before one of the Hearing Board's bi-monthly meetings is held and then possibly another week before the final decision is published depending upon the complexity of the issue. This, of course, does not take into consideration the possibility that there will be numerous continuances and delays on both sides that will further prolong the process.

Such delays may be warranted where additional time may be needed to prepare an Environmental Impact Report (EIR). The Hearing Board may require a nongovernmental source to submit data and information in the form of an EIR to enable the Board to come to an enlightened decision as to whether the effects of the proposed variance, if issued, may have a substantial adverse impact on the environment regardless of whether the overall effect of the source's variance will be adverse or beneficial.

Depending upon the urgency of a requested variance two variance variations may be applied for. An emergency variance provides immediate results and requires no prior notice, but is restricted to vital breakdown conditions, and does not allow the source to re-petition the Board for a full variance after the emergency variance has expired. An interim variance, on the other hand, although no notice is required, is limited in time to 90 days and requires that the source and APCD develop a compliance schedule to have the source come into compliance. This variance is applied for if the source wishes to appeal before a full board hearing at a later date to explain its difficulties and possibly apply for compliance extensions and a full variance.

Again, certain factors unique to the source may have to be taken into consideration prior to embarking upon a particular line of corrective action. Such factors as the immediate danger presented by the violation (i.e., asbestos emissions as opposed to a permit not being posted within 25 feet of the piece of equipment for which it was issued), in-house administrative inefficiencies, and the relative importance of the continuation of operations to the company's survival and to the public who depend on the services or job opportunities provided by the source have to be weighed.

Until recently it was virtually impossible for the APCD to proceed against a source in a civil action as opposed to a criminal action. (See Figure 3-5.) Both actions are provided for in enabling legislation and allow a maximum fine assessment of $500 per offense for both civil and criminal actions (misdemeanor conviction with a possibility of a jail term of 6 months included). In addition, if an abatement order has been issued and such order is violated, a fine of up to $6,000 per day may be imposed. (See Figure 3-12.)

Prior to July 11, 1978 it was necessary that the APCD, in order to file a civil action, make a formal request before the County Board of Supervisors to be permitted to take advantage of County Counsel's services. This was the only County legal representative authorized to file such actions. Needless to say, this presented the District with an enormous burden. In order for the suit to come to court a petition had to be prepared, the

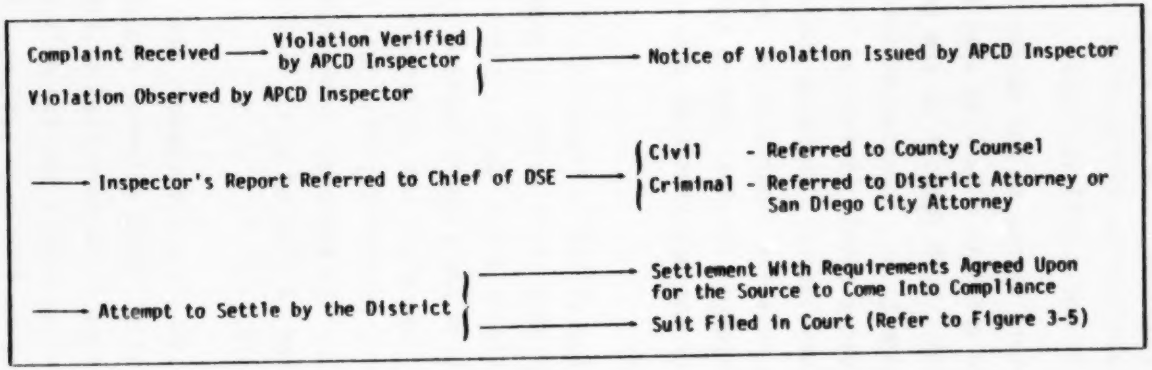

Complaint Received
Violation Verified by APCD Inspector
Violation Observed by APCD Inspector
Notice of Violation Issued by APCD Inspector
Inspector's Report Referred to Chief of DSE
Civil - Referred to County Counsel
Criminal - Referred to District Attorney or San Diego City Attorney
Attempt to Settle by the District
Settlement With Requirements Agreed Upon for the Source to Come Into Compliance
Suit Filed in Court (Refer to Figure 3-5)

Figure 3-13. Flow Diagram for Civil and Criminal Suits Filed by San Diego APCD

Board of Supervisors meeting had to be held, and then permission obtained from the Board to proceed. This procedure was too burdensome and time-consuming and in most cases proved to be a fruitless endeavor. This resulted in the District being compelled to resort to criminal prosecution as its only means of enforcement. Today, by virtue of a Board of Supervisors resolution, the request for a civil action can be made directly to the County Counsel without first going before the Baord. Once the case is considered to be valid and complete by the County Counsel he will proceed with it.

Criminal prosecutions are undesirable in cases of this nature for two primary reasons. First, the burden of proof required for criminal convictions is much more difficult to establish because the defendant has to be proven guilty beyond a reasonable doubt. To prove guilt, detailed and all-inclusive evidence must be presented and its authenticity and chain of custody thoroughly established. Civil cases, on the other hand, require only that the District establish by a preponderance of the evidence ("more likely than not" standard) that the respondent is guilty of the violation(s) alleged. Second, courts (especially municipal courts, where the sources are well established businesses) tend not to find these businesses and especially their executives criminally liable due to the stigma attached to misdemeanor convictions.

Criminally, the District has two courses of action available to it: Citations and Notices of Violation. Citations are similar in form and effect to a ticket issued by a police officer for a violation of the motor vehicle code. The inspector, being a sworn law enforcement officer, issues Citations for violations of the APCD rules and regulations that occur in his/her presence. The Citation (see Figure 3-13) is, in effect, a notice to appear that the violator is required by law to sign or be subject to immediate arrest by the inspector. Once issued, arraignment will be held

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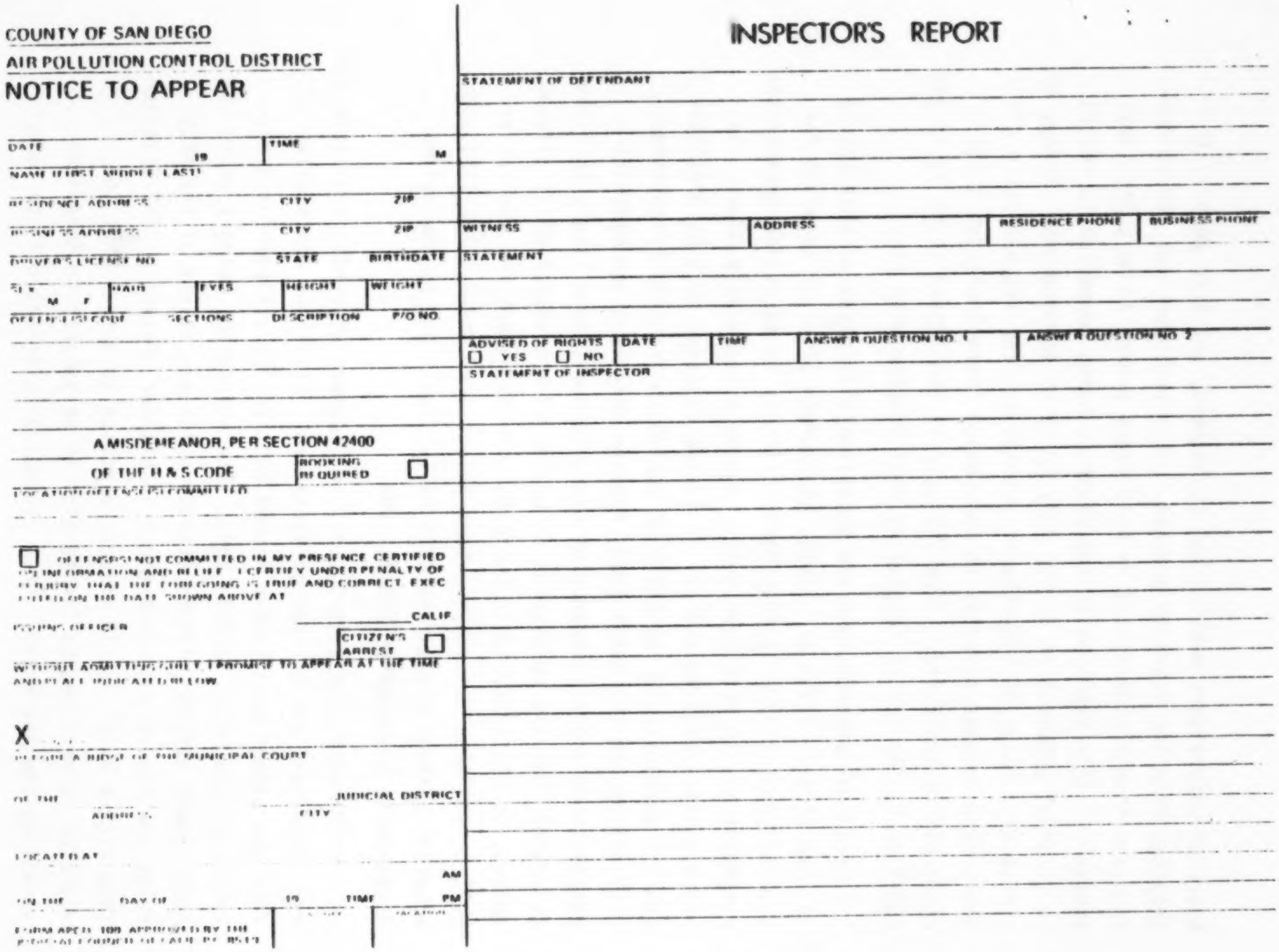


COUNTY OF SAN DIEGO
AIR POLLUTION CONTROL DISTRICT

NOTICE TO APPEAR

DATE 19 | TIME M
NAME (FIRST, MIDDLE, LAST)
RESIDENCE ADDRESS CITY ZIP
BUSINESS ADDRESS CITY ZIP
DRIVER'S LICENSE NO. STATE BIRTHDATE
SEX M F | HAIR | EYES | HEIGHT | WEIGHT
OFFENSE(S) CODE SECTIONS DESCRIPTION P/O NO.

A MISDEMEANOR, PER SECTION 42400
OF THE H & S CODE | BOOKING REQUIRED ☐
LOCATION OFFENSE(S) COMMITTED

☐ OFFENSE(S) NOT COMMITTED IN MY PRESENCE CERTIFIED ON INFORMATION AND BELIEF. I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON THE DATE SHOWN ABOVE AT ______ CALIF

ISSUING OFFICER | CITIZEN'S ARREST ☐

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW

X ______
BEFORE A JUDGE OF THE MUNICIPAL COURT

OF THE ______ JUDICIAL DISTRICT
ADDRESS CITY

LOCATED AT

ON THE ______ DAY OF ______ 19 ______ TIME ______ AM PM

FORM APCD 100 APPROVED BY THE JUDICIAL COUNCIL OF CALIF. PC 853.9

INSPECTOR'S REPORT

STATEMENT OF DEFENDANT

WITNESS | ADDRESS | RESIDENCE PHONE | BUSINESS PHONE
STATEMENT

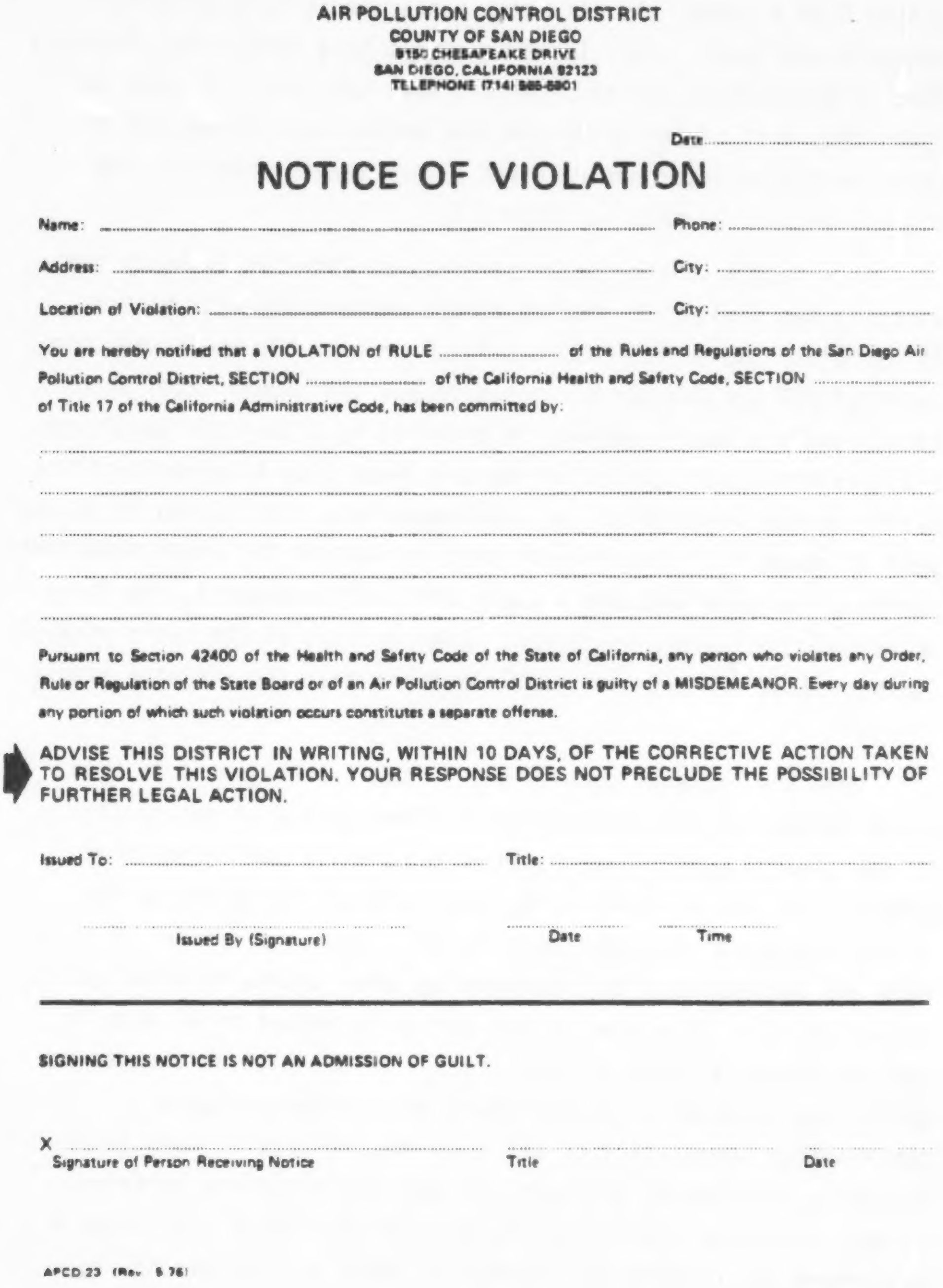
ADVISED OF RIGHTS ☐ YES ☐ NO | DATE | TIME | ANSWER QUESTION NO. 1 | ANSWER QUESTION NO. 2
STATEMENT OF INSPECTOR

Figure 3-14. Citation

within 2 to 3 weeks. At this time a hearing is held and a final determination made. Ideally, this should be a speedy and effective form of enforcement but this has not been the case. History has shown that most of the Citations have either been thrown out of court or the violator has received a very lenient penalty (the highest penalty to date has been $15).

As a result of the ineffectiveness of Citation issuance the District has decided to proceed almost exclusively with Notices of Violation (NOV) (see Figure 3-14). Once an NOV is issued, the Chief of DSE has decided to prosecute,and the county legal authorities concur, a notify warrant is prepared by either the San Diego District Attorney's office or the San Diego City Attorney's office notifying the violator of the appearance date that he/she is to appear at court. If the violator does not appear, the legal department handling the case prepares a sworn affadavit presenting the facts as represented by the inspector. Upon receipt of the sworn affadavit, a bench warrant is issued requiring that the violator appear in court.

When the violator does appear in court, arraignment is held where he/she has the opportunity to plead guilty or not guilty. If the plea is guilty the violator is normally sentenced immediately. If, on the other hand, the violator pleads not guilty to the charges a readiness date is set. Upon the arrival of this date the violator has the opportunity, once again, to plead guilty or not guilty. If a plea of not guilty is made, a trial date is set for either a bench or jury trial. If the plea is changed to guilty, as it usually is, the court will either sentence the violator immediately, or set a sentencing date if more information is required by the court to set an appropriate sentence. In most instances where a guilty plea is entered at this time, a settlement has already been agreed to where the charges may be



AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO
9150 CHESAPEAKE DRIVE
SAN DIEGO, CALIFORNIA 92123
TELEPHONE (714) 565-5901

Date ....

NOTICE OF VIOLATION

Name: .... Phone: ....

Address: .... City: ....

Location of Violation: .... City: ....

You are hereby notified that a VIOLATION of RULE .... of the Rules and Regulations of the San Diego Air Pollution Control District, SECTION .... of the California Health and Safety Code, SECTION .... of Title 17 of the California Administrative Code, has been committed by:

....

....

....

....

....

Pursuant to Section 42400 of the Health and Safety Code of the State of California, any person who violates any Order, Rule or Regulation of the State Board or of an Air Pollution Control District is guilty of a MISDEMEANOR. Every day during any portion of which such violation occurs constitutes a separate offense.

ADVISE THIS DISTRICT IN WRITING, WITHIN 10 DAYS, OF THE CORRECTIVE ACTION TAKEN TO RESOLVE THIS VIOLATION. YOUR RESPONSE DOES NOT PRECLUDE THE POSSIBILITY OF FURTHER LEGAL ACTION.

Issued To: .... Title: ....

....
Issued By (Signature) Date Time

SIGNING THIS NOTICE IS NOT AN ADMISSION OF GUILT.

X ....
Signature of Person Receiving Notice Title Date

APCD 23 (Rev. 5 76)

Figure 3-15. Notice of Violation

dropped in return for a fine payment and conditions to be met in order to bring the source into compliance.

This extensive procedure results in weeks and sometimes months of delays. The source, during this time, is technically in violation every day that it operates, each day being a separate violation. In the course of one week's operation a source could possibly have seven separate criminal actions pending against it for the same offense, each involving the procedure previously discussed and resulting in cummulative penalties and jail sentences. This is a major bargaining tool for the APCD to compel the source to plead guilty as soon as possible and come to an agreement as to terms for the source to come into compliance. (If a variance is applied for and approved, a Notice of Violation will be dismissed.)

Generally, the Chief of DSE is given the authority to make the decision of whether or not to request legal action. In some cases of great importance, it may be necessary to consult with the APCO before taking action. Once it is determined that a particular source is in violation and legal action should be taken, the case is then referred to the appropriate legal department. Both the San Diego City Attorney's office and the San Diego County District Attorney's office are in charge of the District's criminal prosecutions, while the County Counsel has the sole authority to bring civil actions.

Prior to the District's ability to proceed directly to the County Counsel's office, virtually all court cases were handled by the District Attorney or San Diego City Attorney as criminal prosecutions were the only possible route of attack. As the system was originally established, the request to prosecute was sent by DSE to one of the four District Attorney branches located throughout the County or to the City of San Diego for review. If, after review, the case was approved, it was filed in court.

A major number of requested legal actions were either set aside or ignored by these offices. This situation was compounded by the fact that, for the most part, the attorneys assigned to the cases were unfamiliar with the violations alleged and the criteria involved. As this persisted, the probability of conviction was nearly nonexistent.

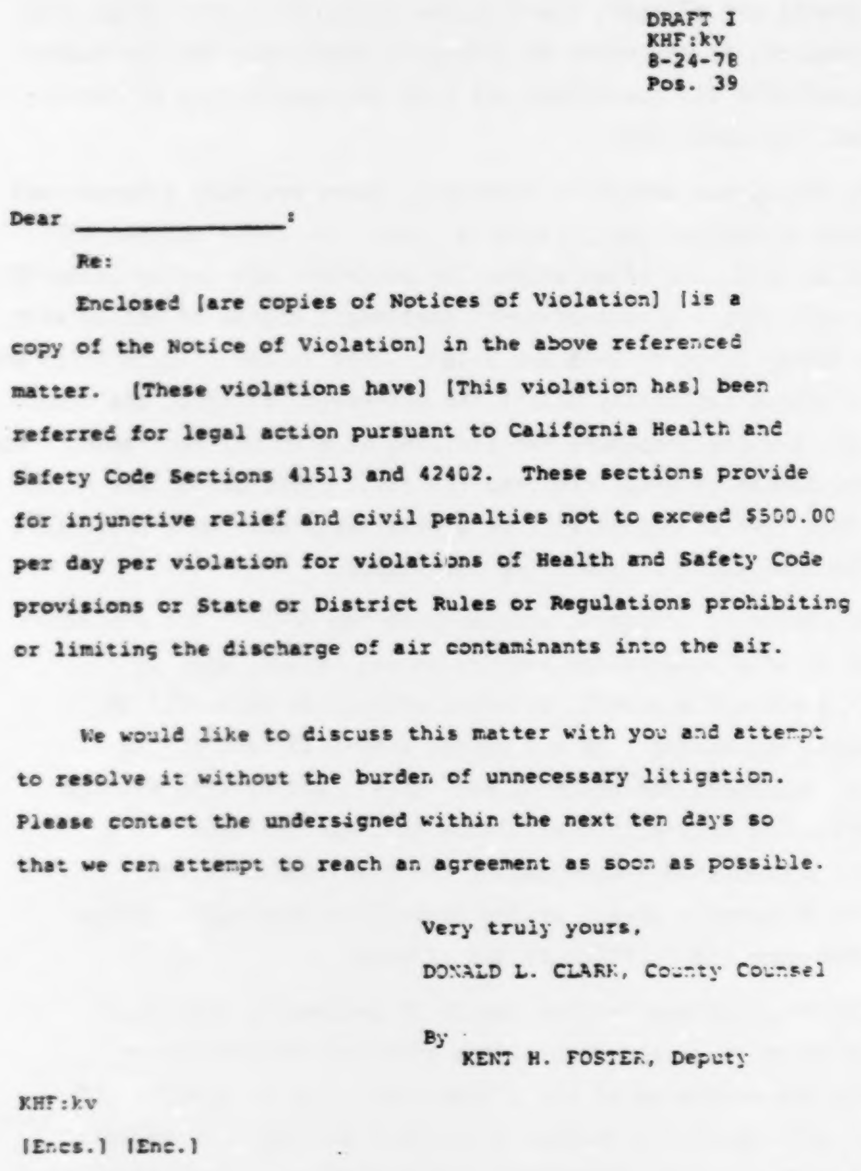
Approximately 1-1/2 years ago an attempt was made to bridge this cooperation and comprehension gap. The District Attorney's office has now assigned one attorney to receive all requests for legal action throughout the County. After determining that the case warrants further action, the Assistant D.A. proceeds with filing and eventual prosecution. In the past year almost 40 cases have been referred to the District Attorney's office, only one or two not being prosecuted due to questions concerning the identity of the legally responsible party and county agency activity authorization inconsistencies.

It is the opinion of the Assistant District Attorney assigned to review and prosecute the APCD's cases that the procedures employed are effective and the present program adequate. In fact, criminal prosecutions were used as leverage to compel companies to comply with the District's regulations. This was accomplished by filing criminal charges against both the company and the President of the company. This course of action has often resulted in an expedient settlement by dismissing criminal charges or offering probation contingent upon the agreement to stipulated conditions. In the past, most defendants have tended to settle and pay the fine assessed rather than risk the possibility of a criminal conviction and the resulting adverse publicity. However, it has been found that when the cases were allowed to proceed, the fines assessed by the courts were much less than those generally agreed upon in the settlements. This is another example of the inconsistent efforts exhibited between the enforcement and judicial systems. If multiple counts are alleged, creating the possibility of a large fine being imposed, it may prove to be highly profitable for the source to proceed with its operations and risk the possibility of conviction and fine assessment.

As the system presently functions, there are many alternatives to pursue to achieve the District's goals. As civil actions will come to be used more often within the District, the County Counsel's office will pursue an out-of-court settlement course of action with a form letter (Figures 3-15 and 3-16). This letter (Figure 3-15) and its enclosures explicitly detail the offense(s) alleged, the fines assessed, and the procedure for arriving at a mutual settlement. Now with the burden of proof required for civil cases being less stringent, this form of action will be a relatively much more preferable and effective means of achieving compliance.

No choice of action is available to the APCD if the violation alleged is of a nonemission limitation regulation, such as operating without a permit, building without an authority to construct, not having a permit posted within 25 feet of the piece of equipment for which it was issued, and burning without a permit. The only action available in these instances is a criminal prosecution necessitating the involvement of the District Attorney's office or San Diego City Attorney's office depending upon the location of the offense.

The District now has the choice of proceeding civilly or criminally in rules and regulations offenses prohibiting or limiting the discharge of air contaminants, but as a matter of policy, will generally proceed with civil actions. An exception will be made if it is determined that a particular individual is responsible for repeated violations and civil penalties have not



DRAFT I
KHF:kv
8-24-78
Pos. 39

Dear ________________:

Re:

Enclosed [are copies of Notices of Violation] [is a copy of the Notice of Violation] in the above referenced matter. [These violations have] [This violation has] been referred for legal action pursuant to California Health and Safety Code Sections 41513 and 42402. These sections provide for injunctive relief and civil penalties not to exceed $500.00 per day per violation for violations of Health and Safety Code provisions or State or District Rules or Regulations prohibiting or limiting the discharge of air contaminants into the air.

We would like to discuss this matter with you and attempt to resolve it without the burden of unnecessary litigation. Please contact the undersigned within the next ten days so that we can attempt to reach an agreement as soon as possible.

Very truly yours,
DONALD L. CLARK, County Counsel

By
KENT H. FOSTER, Deputy

KHF:kv

[Encs.] [Enc.]

Figure 3-16 San Diego APCD Offer to Settle Correspondence

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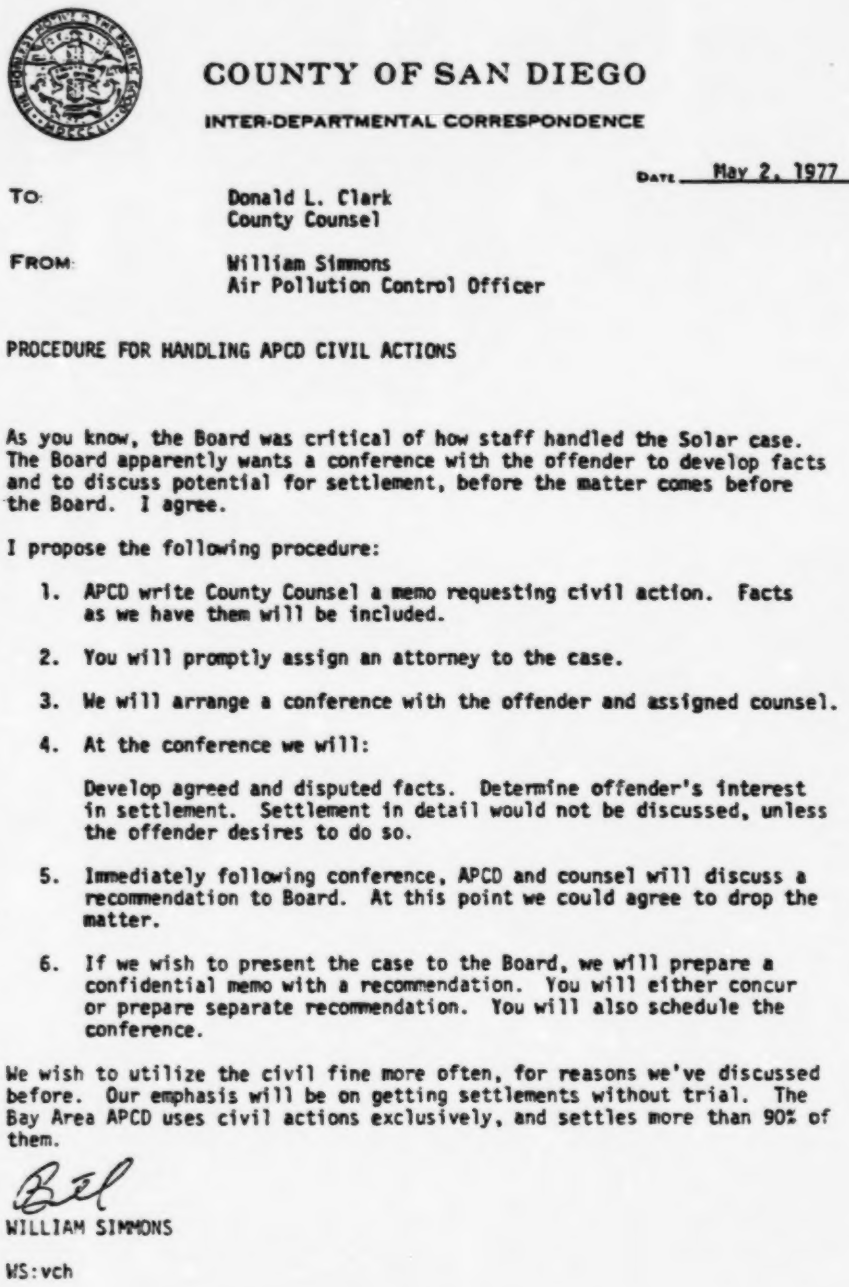

COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE May 2, 1977

TO: Donald L. Clark
County Counsel

FROM: William Simmons
Air Pollution Control Officer

PROCEDURE FOR HANDLING APCD CIVIL ACTIONS

As you know, the Board was critical of how staff handled the Solar case. The Board apparently wants a conference with the offender to develop facts and to discuss potential for settlement, before the matter comes before the Board. I agree.

I propose the following procedure:

1. APCD write County Counsel a memo requesting civil action. Facts as we have them will be included.
2. You will promptly assign an attorney to the case.
3. We will arrange a conference with the offender and assigned counsel.
4. At the conference we will:

   Develop agreed and disputed facts. Determine offender's interest in settlement. Settlement in detail would not be discussed, unless the offender desires to do so.
5. Immediately following conference, APCD and counsel will discuss a recommendation to Board. At this point we could agree to drop the matter.
6. If we wish to present the case to the Board, we will prepare a confidential memo with a recommendation. You will either concur or prepare separate recommendation. You will also schedule the conference.

We wish to utilize the civil fine more often, for reasons we've discussed before. Our emphasis will be on getting settlements without trial. The Bay Area APCD uses civil actions exclusively, and settles more than 90% of them.

WILLIAM SIMMONS

WS:vch

Figure 3-17. San Diego APCD Memorandum Stating Procedure for Handling APCD Civil Actions

proven to be effective. In that case, the person responsible will be brought up on criminal charges. This is a last resort to compel the source to attain compliance.

While filing civil cases against repeated violators, County Counsel prefers the use of an abatement program with settlement. It is hoped that in the near future use can be made of the injunctions as provided for in Section 41513 of the California Health and Safety Code. This section has eliminated the normally required injunction elements of proving that there is no adequate remedy at law available to the District and that there was or will be irreparable damage resulting if it is not granted. As the statute is constructed it provides for a potentially effective tool. It has, however, met great resistance by the courts. A particular case in point involved a recent ruling of a Superior Court Judge within the APCD who determined that the District's rules and regulations were unconstitutional rather than grant a preliminary injunction requested by the County Counsel. This ruling was made despite the fact that the District's data were not contested by the defense and the source was shown to be in violation. As of the date of this report no injunctions have been granted by a court within the District.

Rather than resort to legal action it is preferred by all to resolve all of the District's compliance problems through the APC Hearing Board. This Board consists of five individuals, (a doctor, a professional engineer, an attorney, and two citizens at large) who consider applications for variances and determine if compliance is being maintained. If it is determined that the violation is correctable and can be remedied by an approved program, a variance will be granted subject to conditions imposed by the Board. On the other hand, if the problem is a recurring one, is correctable, and the primary reason for noncompliance is poor maintenance or operator error, court action will be initiated.

If the problem is such that a corrective program is feasible, that form of approach will be taken. If a violation is on-going and one that a company should control the APCD will petition the Hearing Board for an abatement order (refer to Figure 3-5). Once a violation is proven the abatement order, in the form of an injunction, will mandate that the source come into compliance or cease and desist operations. Usually, included within the abatement order, is a compliance schedule agreed to by both the source and the APCD. If no schedule is agreed to the District will develop its own for the source to comply with. As this may be the case, it is a major benefit to the source that it participate in the development of the compliance schedule.

Abatement orders are typically issued where it is determined that a source will never be able to come into compliance or where the source creates a public nuisance (no variances are issued for sources operating a public nuisance). To date, only five abatement orders have been issued by the Hearing Board.

If industry finds that to contest enforcement agency efforts is economically reasonable it will do so. An example in the San Diego APCD involves a source, one of whose operations includes painting. Rather than comply with the District's regulations and install control equipment, the firm's management decided that it would prefer to pay the damages resulting from its operations. As a result, it has been alleged that this company paid to have an automobile which was parked adjacent to its plant painted four times.

4.0 CONCLUSIONS

The San Diego County Air Pollution Control District is organized to carry out the permitting and enforcement activities mandated by state and Federal law. The program has expanded significantly over the last ten years, principally stimulated by these laws. A June 27-July 14, 1977 joint EPA/CARB audit of the program was generally favorable and concluded that the engineering and inspection activities are effectively conducted. Recommendations were made for some improvements relating to (1) documentation of emissions estimates and permit/equipment conditions in permit evaluation reports, (2) procedures relating to compliance verification, (3) enforcement follow-up, (4) specific source test procedures, and (5) maintaining a more current emission inventory. The California Air Resources Board has not exercised any option to intervene in the District's program as has been done in the South Coast Air Quality Management and the Bay Area Air Pollution Control Districts.

Until recently, the District's enforcement program has relied upon criminal sanctions against rule violations. Due, in large part, to institutional constraints, sanctions were applied very sparingly. Penalties assessed to date, in themselves, are not likely to have been a deterrent to rule violation. The recent utilization of civil sanctions makes the chance of a monetary penalty for rule violations much more likely. The impact on emissions of the past enforcement procedures has yet to be determined.

Other tentative conclusions about the program of the San Diego Air Pollution Control District are enumerated below. These deal with resource allocation, organization, and specific programs.

1. The program of the San Diego County Air Pollution Control District is basically similar to those of the two larger Districts in the state - the South Coast Air Quality Management District and the Bay Area Air Pollution Control District. Since the District is the third largest in the state and serves a major metropolitan area, it is responsible for the same level of response to public services as are the two larger Districts in the state, however the staff of the San Diego APCD is much smaller. Even with a staff of 100, this size differential creates a problem resulting in diversified and fragmented activities of a portion of the staff personnel. Because of these resource restrictions, staff personnel may not be able to devote as much effort to a particular objective as they desire. In part this results from the activity, planning, and reporting requirements of the State of California and the Federal Government.

2. The permit and enforcement functions are largely taken up with routine activities involving new permit applications, annual permit renewals, and annual inspections. There is little flexibility for assigning priorities, and thus smaller sources may receive disproportionate attention.

3. The District has had difficulty in maintaining an up-to-date emission inventory, but this may be remedied by the increasing use of automated data processing which utilizes input from permit and surveillance activities. The emissions inventory need not be totally inclusive of point and area sources each year, but it may be deemed advisable that the District concentrate on either type of source for any one year.

4. Because of rather frequent organizational changes and variability in reporting procedures, it is somewhat difficult to consistently track activity levels from year to year. Also, activity levels are reported in terms of units, not directly associated

with personnel time, such as "Surveillance and Inspection," making it difficult to interpret the level of effectiveness.

5. Expenditures for permit processing, surveillance, and enforcement seem to be decreasing in relation to total expenditures of the District. This may be due in part to externally imposed requirements for planning and reporting.

6. The level of engineering review conducted by the agency in permit processing appears to be quite variable. The Air Resources Board staff feels that this aspect of the District operations could be improved and that better documentation of inspection points and operating criteria should be included in permit application files.

7. The surveillance and enforcement activities have become more vigorous in the past several years as compared to very informal activities in the past. Source inspection procedures include frequent observation of visible emissions, and yearly updates of source process equipment lists. Since inspectors are assigned geographical sectors of responsibility, and there is no set program of revolving assignments, there is a potentiality for inspectors becoming familiar with source operations to the point where an objective is not possible.

8. The demands of annual reinspection allows little discretion in the use of manpower, making the chance of unannounced inspections rather small. This is reinforced when one considers that sources are inspected during the 2 months prior to permit expiration. Sources within the District are thereby reasonably assured of approximately 10 months of detailed inspection-free operation. This immunity within the system does not apply when public complaints are lodged against the operation.

9. Some special problems exist because of the high concentration of Federal facilities (largely the U.S. Navy) in the San Diego area. These problems relate to the limitations of authority over these facilities.

10. Actual emissions data acquired by direct source test is largely limited to initial tests on new facilities and to annual tests on most major facilities. Information on non-visible gaseous pollutants should become more available as the result of newly established requirements for continuous self-monitoring for certain sources.

11. The use of legal sanctions until very recently has been rather ineffective. Few cases have been brought to the courts and even fewer convictions have been secured. From a narrow point of view, at least, this results in little incentive for air pollution sources to maintain a continuous state of compliance. This should not be construed as stating there have been massive violations of air pollution rules and regulations. Recently, the District has received approval to seek civil instead of, or in addition to, criminal sanctions on a routine basis. Further, better liaison with the prosecuting authorities and the County Counsel has been established, and it appears that the threat of monetary penalties for rule violations has become more realistic.

12. During the past 3 fiscal years, the rate of personnel leaving the District has increased by 6 times, from 4 percent to 24 percent on an annual basis, while the staff has only increased by 11 percent over the same period. This may be due to the small increases in salary ranges over the past 3 years.

13. Due to economic considerations, a larger segment of industry has seen fit to challenge environmental sanctions in court. It has been found that a major procedural flow has existed in the District's evidence collection and storage. In the future a better effort will be needed to assure equipment calibration, the existence of prescribed testing considerations, and a careful monitoring of the chain of custody of evidence collected. Since this aspect of the legal process is a major element in the effectiveness

of the air pollution abatement program, a thorough system of record keeping should be developed because accurate records are vital to an effective enforcement agency.

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FEE SCHEDULES

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FEE SCHEDULES

SCHEDULE 1: Abrasive Blasting Equipment

Any permit unit consisting of air hoses, with or without water lines, with a single pot rated at pounds capacity of sand regardless of abrasive used, and a nozzle or nozzles. (Equipment not operated solely in Schedule 5 facilities.)

	Capacity of Pot, Pounds	Fees		
		(1)	(2)	(3)
a.	100	$ 90.00	$ 80.00	$ 14.00
b.	Larger than 100 and up to 400	$ 94.00	$ 84.00	$ 24.00
c.	Larger than 400 and up to 700	$100.00	$ 90.00	$ 43.00
d.	Larger than 700 and up to 1000	$106.00	$ 96.00	$ 49.00
e.	Larger than 1000 and up to 1500	$114.00	$104.00	$ 57.00
f.	Larger than 1500 and up to 2000	$123.00	$113.00	$ 66.00
g.	Larger than 2000	$136.00	$126.00	$ 72.00
h.	For each pot over one operated solely on owner's premises	As Above	As Above	$ 10.00

SCHEDULE 2: Roofing Kettles Used to Heat Asphalt

	Capacity of Kettle, Gallons	Fees		
		(1)	(2)	(3)
a.	Larger than 85 to 200	$ 45.00	$ 35.00	$ 14.00
b.	Larger than 200 to 300	$ 56.00	$ 46.00	$ 25.00
c.	Larger than 300 to 400	$ 67.00	$ 57.00	$ 37.00
d.	Larger than 400 to 500	$ 78.00	$ 68.00	$ 48.00
e.	Larger than 500	$ 90.00	$ 80.00	$ 60.00

SCHEDULE 3: Asphalt Tankers Used to Transport and Transfer Hot Asphalt

	Capacity of Tank, Gallons	Fees		
		(1)	(2)	(3)
a.	Up to 1000	$ 45.00	$ 35.00	$ 10.00
b.	Larger than 1000 to 1500	$ 60.00	$ 50.00	$ 15.00
c.	Larger than 1500 to 2000	$ 75.00	$ 65.00	$ 21.00
d.	Larger than 2000	$ 90.00	$ 80.00	$ 27.00

SCHEDULE 4: Reserved

SCHEDULE 5: Abrasive Blasting Cabinets, Rooms and Booths, with an Air Pollution Control Device

	Interior Volume, Cubic Feet	Fees		
		(1)	(2)	(3)
a.	Up to 200	$ 90.00	$ 80.00	$ 13.00
b.	200 and up to and including 1000	$ 95.00	$ 84.00	$ 16.00
c.	Larger than 1000 to 4000	$105.00	$ 95.00	$ 22.00
d.	Larger than 4000 to 7000	$120.00	$110.00	$ 31.00
e.	Larger than 7000 to 10,000	$130.00	$120.00	$ 37.00
f.	Larger than 10,000	$135.00	$125.00	$ 44.00

SCHEDULE 6: Rock Drills

Per Drill	Fees		
	(1)	(2)	(3)
Each	$ 90.00	$ 80.00	$ 31.00

SCHEDULE 7: Tire Buffers

Per Automatic or Semi-Automatic Buffer	Fees		
	(1)	(2)	(3)
Each	$113.00	$100.00	$ 28.00

SCHEDULE 8: Sand, Rock, and Aggregate Screens, When Not Used as Part of Another Permit Item in these Schedules

Per Screen	Fees		
	(1)	(2)	(3)
Each	$ 85.00	$ 75.00	$ 28.00

SCHEDULE 9: Boilers, Heaters, Gas Turbines and Asphalt Heaters

	Maximum Gross Heat Input, Millions of BTU's Per Hour		Fees	
		(1)	(2)	(3)
a.	Up to 10	$ 90.00	$ 80.00	$ 13.00
b.	Larger than 10 to 30	$110.00	$100.00	$ 19.00
c.	Larger than 30 to, but not including 50	$136.00	$126.00	$ 24.00
d.	50 to 200	$180.00	$ 90.00	$ 34.00
e.	Larger than 200 to 400	$198.00	$ 99.00	$ 39.00
f.	Larger than 400 to 600	$216.00	$113.00	$ 43.00
g.	Larger than 600 to 800	$234.00	$117.00	$ 47.00
h.	Larger than 800 to 1000	$252.00	$126.00	$ 52.00
i.	Larger than 1000	$270.00	$135.00	$ 60.00

SCHEDULE 10: Concrete Batch, Block or Pipe Plants, or Mixers Over One Cubic Yard Capacity

	Capacity, Concrete Output, Cubic Yards Per Hour		Fees	
		(1)	(2)	(3)
a.	Up to 25	$ 90.00	$ 80.00	$ 17.00
b.	Greater than 25 and up to but not including 100	$180.00	$ 90.00	$ 34.00
c.	100 to, but not including 200	$210.00	$105.00	$ 51.00
d.	200 to, but not including 300	$240.00	$120.00	$ 68.00
e.	300 or greater	$270.00	$135.00	$ 85.00

SCHEDULE 11: Non-Municipal Incinerators

	Waste Burning Capacity, Pounds Per Hour		Fees	
		(1)	(2)	(3)
a.	Up to 50	$180.00	$ 90.00	$ 21.00
b.	Larger than 50 to 150	$189.00	$ 94.00	$ 32.00
c.	Larger than 150 to 450	$207.00	$103.00	$ 42.00
d.	Larger than 450 to 750	$234.00	$117.00	$ 52.00
e.	Larger than 750	$270.00	$135.00	$ 52.00

SCHEDULE 12: Burn-Out Ovens

Load Rating, Pounds		Fees	
	(1)	(2)	(3)
a. Up to and including 1200	$180.00	$ 90.00	$ 13.00
b. Greater than 1200 and up to 2000	$210.00	$105.00	$ 26.00
c. Greater than 2000 and up to 4000	$240.00	$120.00	$ 39.00
e. Greater than 4000	$270.00	$135.00	$ 52.00

SCHEDULE 13: Core Ovens

Interior Volume, Cubic Feet		Fees	
	(1)	(2)	(3)
a. Greater than 27 and up to and including 200	$180.00	$ 90.00	$ 25.00
b. Greater than 200 and up to and including 400	$210.00	$105.00	$ 28.00
c. Greater than 400 and up to and including 600	$240.00	$120.00	$ 31.00
d. Greater than 600	$270.00	$135.00	$ 40.00

SCHEDULE 14: Fish Canneries

		Fees	
	(1)	(2)	(3)
a. One precooker	$ 90.00	$ 45.00	$ 13.00
b. Each precooker over one	$ 30.00	$ 15.00	$ 13.00
c. Each permit unit in addition to precookers	$360.00	$180.00	$ 32.00

SCHEDULE 15: Metal Melting and Sweating Furnaces

	Primary Heat Chamber, Capacity, Pounds Per Batch	Fees		
		(1)	(2)	(3)
a.	100 to 999	$180.00	$ 90.00	$ 13.00
b.	1000 to 1999	$195.00	$ 96.00	$ 18.00
c.	2000 to 2999	$210.00	$105.00	$ 23.00
d.	3000 to 4999	$225.00	$112.00	$ 28.00
e.	5000 to 9999	$240.00	$120.00	$ 33.00
f.	10,000 to 14,999	$255.00	$127.00	$ 38.00
g.	15,000 to 19,999	$270.00	$135.00	$ 43.00
h.	Over 20,000	$285.00	$142.00	$ 48.00

SCHEDULE 16: Feed Mills

	Per Process Line, Total Plant Capacity, Tons Per Hour	Fees		
		(1)	(2)	(3)
a.	Up to and including 10	$270.00	$135.00	$ 14.00
b.	Greater than 10 and up to and including 30	$360.00	$180.00	$ 45.00
c.	Greater than 30	$450.00	$225.00	$ 76.00

SCHEDULE 17: Hot-Mix Asphalt Paving Batch Plants

	Capacity (Process Weight) Tons Per Hour	Fees		
		(1)	(2)	(3)
a.	Up to 50	$ 90.00	$ 45.00	$ 21.00
b.	Larger than 50 to 100	$180.00	$ 90.00	$ 30.00
c.	Larger thann 100 to 150	$270.00	$135.00	$ 39.00
d.	Larger than 150 to 200	$360.00	$180.00	$ 48.00
e.	Larger than 200	$450.00	$225.00	$ 58.00

SCHEDULE 18: Concrete-Treated-Base (CTB) Plants

	Per Process Line, Total Plant Capacity, Tons Per Hour	Fees		
		(1)	(2)	(3)
a.	Up to and including 30	$270.00	$135.00	$ 17.00
b.	Greater than 300 and up to and including 600	$360.00	$180.00	$ 33.00
c.	Greater than 600	$450.00	$225.00	$ 49.00

SCHEDULE 19: Rock and Aggregate Plants

	Per Process Line, Total Plant Capacity, Tons Per Hour		Fees	
		(1)	(2)	(3)
a.	Up to and including 200	$270.00	$135.00	$ 21.00
b.	Greater than 200 and up to and including 300,	$360.00	$180.00	$ 82.00
c.	Greater than 300	$450.00	$225.00	$144.00

SCHEDULE 20: Brick Plants

	Per Process Line, Total Plant Capacity, Tons Per Hour		Fees	
		(1)	(2)	(3)
a.	Up to and including 5	$270.00	$135.00	$ 30.00
b.	Greater than 5 and up to and including 10	$330.00	$165.00	$ 36.00
c.	Greater than 10 and up to and including 20	$390.00	$195.00	$ 43.00
d.	Greater than 20	$450.00	$225.00	$ 50.00

SCHEDULE 21: Salt Bath Heat Treat Furnaces

	Interior Volume, Cubic Feet		Fees	
		(1)	(2)	(3)
a.	Up to and including 100	$180.00	$ 90.00	$ 25.00
b.	Greater than 100 and up to and including 300	$210.00	$105.00	$ 30.00
c.	Greater than 300 and up to and including 500	$240.00	$120.00	$ 35.00
d.	Greater than 500	$270.00	$135.00	$ 40.00

SCHEDULE 22: Cupola Furnace For Gray Iron Production

	Maximum Capacity, Pounds Per Hour		Fees	
		(1)	(2)	(3)
a.	Up to and including 2000	$180.00	$ 90.00	$ 37.00
b.	Greater than 2000 and up to and including 4000	$210.00	$105.00	$ 50.00
c.	Greater than 4000 and up to and including 8000	$240.00	$120.00	$ 63.00
d.	Greater than 8000	$270.00	$135.00	$ 76.00

SCHEDULE 23: Bulk Grain and Bulk Dry Chemical Transfer and Storage Facility Equipment

	Per Permit Unit, Maximum Transfer Capacity of Facility, Tons Per Hour	Fees (1)	Fees (2)	Fees (3)
a.	Up to and including 100	$270.00	$135.00	$ 25.00
b.	Greater than 100, and up to and including 500	$330.00	$165.00	$ 39.00
c.	Greater than 500, and up to and including 1000	$390.00	$195.00	$ 53.00
d.	Greater than 1000	$450.00	$225.00	$ 68.00

SCHEDULE 24: Volatile Organic Compound Bulk Plants and Terminals

Permit units consist of each tank, storing a volatile organic compound or compounds with a resultant Reid Vapor Pressure greater than 3, except those tanks storing compounds exempt from the provisions of Rules 61.0 through 61.6, and all the truck loading racks at a facility served by a vapor processor.

		Fees (1)	Fees (2)	Fees (3)
1.	Bulk plants with a throughput of more than 5 million gallons per year and bulk terminals:			
	a. Per floating roof tank	$155.00	$ 80.00	$ 38.00
	b. Per fixed-roof tank	$ 66.00	$ 53.00	$ 28.00
	c. Truck loading racks at a floating roof facility with a vapor processor	$1758.00	$759.00	$ 47.00
	d. Truck loading racks at a fixed-roof facility with a vapor processor	$2277.00	$1278.00	$ 47.00
2.	Bulk plants with throughput of 5 million gallons or less per year:			
	Per Tank	$ 91.00	$ 53.00	$ 28.00

SCHEDULE 25: Non-bulk Volatile Organic Compound Dispensing Facilities Subject to District Rules 61.0 through 61.6.

a. Facility required to have Phase II* vapor recovery.

Per Installed Vehicle Dispensing Nozzle or Equivalent	Fees		
	(1)	(2)	(3)
Each	$ 40.00	$ 30.00	$ 7.00

b. Facilities required to have Phase I* vapor recovery only.

Each Tank with Capacity More than 550 Gallons	Fees		
	(1)	(2)	(3)
Each	$ 28.00	$ 19.00	$ 19.00

*Phase I consists of vapor control only when the facility storage tank(s) is (are) loaded. Phase II consists of Phase I control and vapor control at the motor vehicle during gasoline dispensing.

SCHEDULE 26: Paint Spray Booths

	Interior Volume, Cubic Feet	Fees		
		(1)	(2)	(3)
a.	Up to but not including 500	$ 90.00	$ 45.00	$ 15.00
b.	500 or greater but less than 1000	$140.00	$ 70.00	$ 25.00
c.	1000 or greater but less than 2000	$190.00	$ 95.00	$ 35.00
d.	2000 or greater but less than 5000	$240.00	$120.00	$ 45.00
e.	5000 or greater but less than 15,000	$290.00	$145.00	$ 55.00
f.	15,000 or greater	$338.00	$169.00	$ 65.00

SCHEDULE 27: Paint Spray Booths Used Exclusively with Waterborne*, High-Solid** or Dry-Powder Coatings***

	Interior Volume, Cubic Feet	Fees		
		(1)	(2)	(3)
a.	Up to but not including 500	$ 45.00	$ 22.00	$ 7.00
b.	500 or greater but less than 1000	$ 70.00	$ 35.00	$ 12.00
c.	1000 or greater but less than 2000	$ 95.00	$ 47.00	$ 17.00
d.	2000 or greater but less than 5000	$120.00	$ 60.00	$ 22.00
e.	5000 or greater but less than 15,000	$145.00	$ 72.00	$ 27.00
f.	15,000 or greater	$170.00	$ 85.00	$ 32.00

* As Defined by Rule 66 (w)(3)
** As Defined by Rule 66 (w)(4)
*** Solvent free

SCHEDULE 28: Curing or Baking Ovens

	Interior Volume, Per Oven, Cubic Feet	Fees		
		(1)	(2)	(3)
a.	Up to but not including 100	$ 90.00	$ 45.00	$ 12.00
b.	100 or greater but less than 500	$150.00	$ 75.00	$ 19.00
c.	500 or greater but less than 1000	$212.00	$106.00	$ 27.00
d.	1000 or greater but less than 5000	$272.00	$136.00	$ 35.00
e.	5000 or greater	$336.00	$118.00	$ 42.00

SCHEDULE 29: Degreasers

	Exposed Liquid Surface Area, Square Feet	Fees		
		(1)	(2)	(3)
a.	Up to but not including 10	$ 90.00	$ 45.00	$ 15.00
b.	10 or greater but less than 20	$135.00	$ 67.00	$ 28.00
c.	20 or greater	$180.00	$ 90.00	$ 43.00

SCHEDULE 30: Paint or Solvent Diptanks, Solder Levelers, Roller-Coatings Machines, Driers and Miscellaneous Equipment Using Materials Containing Organic Solvents

	Process Line, or Independent Article or Machine	Fees (1)	(2)	(3)
a.	Each	$214.00	$107.00	$ 28.00
b.	Each when used exclusively with halogenated hydrocarbons or waterborne or high-solid materials	$107.00	$ 53.00	$ 14.00

SCHEDULE 31: Dry Cleaning Facilities Using Halogenated Hydrocarbon Solvents

	Total Capacity of Washers, Pounds	Fees (1)	(2)	(3)
a.	Up to and including 30	$ 90.00	$ 45.00	$ 8.00
b.	Greater than 30 and up to and including 60	$135.00	$ 62.00	$ 16.00
c.	Greater than 60	$180.00	$ 90.00	$ 25.00

SCHEDULE 32: Dry Cleaning Facilities Using Petroleum Base Solvents

	Total Capacity of Washers, Pounds	Fees (1)	(2)	(3)
a.	Up to and including 60	$ 90.00	$ 45.00	$ 13.00
b.	Greater than 60 and up to and including 100	$108.00	$ 54.00	$ 19.00
c.	Greater than 100 and up to and including 200	$126.00	$ 63.00	$ 25.00
d.	Greater than 200 and up to and including 300	$144.00	$ 72.00	$ 31.00
e.	Greater than 300 and up to and including 400	$162.00	$ 81.00	$ 37.00
f.	Greater than 400	$180.00	$ 90.00	$ 44.00

SCHEDULE 33: Chrome Electroplating, Acid Chemical Milling and Other Material Preparation Equipment Using Inorganic Chemicals

Per Article, Machine, Equipment or Other Device or Per Process Line	Fees (1)	Fees (2)	Fees (3)
Each	$135.00	$ 90.00	$ 28.00

SCHEDULE 34: Brake Debonders

Per Debonder	Fees (1)	Fees (2)	Fees (3)
Each	$226.00	$113.00	$ 30.00

SCHEDULE 35: Waste Disposal Shredder Units

	Waste Input Capacity, Tons Per Hour	Fees (1)	Fees (2)	Fees (3)
a.	Up to and including 25	$ 84.00	$ 42.00	$ 21.00
b.	Greater than 25 and up to and including 75	$147.00	$ 74.00	$ 38.00
c.	Greater than 75 and up to and including 125	$210.00	$105.00	$ 53.00
d.	Greater than 125 and up to and including 250	$273.00	$137.00	$ 69.00
e.	Greater than 250	$336.00	$168.00	$ 84.00

SCHEDULE 36: Waste Disposal Air Classifier Units

	Waste Input Capacity, Tons Per Hour	Fees (1)	Fees (2)	Fees (3)
a.	Up to and including 25	$ 84.00	$ 42.00	$ 21.00
b.	Greater than 25 and up to and including 75	$147.00	$ 74.00	$ 38.00
c.	Greater than 75 and up to and including 125	$210.00	$105.00	$ 53.00
d.	Greater than 125 and up to and including 250	$273.00	$137.00	$ 69.00
e.	Greater than 250	$336.00	$168.00	$ 84.00

SCHEDULE 37: Waste Disposal Drier Units

	Waste Capacity, Tons Per Day	Fees		
		(1)	(2)	(3)
a.	Up to and including 160	$ 84.00	$ 42.00	$ 21.00
b.	Greater than 160 and up to and including 500	$147.00	$ 74.00	$ 38.00
c.	Greater than 500 and up to and including 800	$210.00	$105.00	$ 53.00
d.	Greater than 800 and up to and including 1600	$273.00	$137.00	$ 69.00
e.	Greater than 1600	$336.00	$168.00	$ 84.00

SCHEDULE 38: Waste Disposal Pyrolysis Reactor Units

	Waste Input Capacity, Tons Per Day	Fees		
		(1)	(2)	(3)
a.	Up to and including 125	$116.00	$ 59.00	$ 32.00
b.	Greater than 125 and up to and including 375	$231.00	$116.00	$ 59.00
c.	Greater than 375 and up to and including 625	$347.00	$174.00	$ 84.00
d.	Greater than 625 and up to and including 1250	$462.00	$231.00	$116.00
e.	Greater than 1250	$578.00	$290.00	$147.00

SCHEDULE 39: Gas Turbine Test Cells, Aircraft Engine Testing (Non-shaft Engines)

	Thrust, Pounds	Fees		
		(1)	(2)	(3)
a.	Up to and including 5,000	$135.00	$ 68.00	$ 17.00
b.	Greater than 5,000 and up to and including 20,000	$170.00	$ 85.00	$ 33.00
c.	Greater than 20,000	$204.00	$102.00	$ 60.00

SCHEDULE 40: Gas Turbine Test Cells (Shaft Engine Testing)

	Horsepower	Fees		
		(1)	(2)	(3)
a.	Up to and including 500	$135.00	$ 62.00	$ 13.00
b.	Greater than 500 and up to and including 1000	$158.00	$ 79.00	$ 28.00
c.	Greater than 1000 and up to and including 3000	$181.00	$ 90.00	$ 44.00
d.	Greater than 3000	$204.00	$102.00	$ 60.00

SCHEDULE 101: Miscellaneous

Any article, machine, equipment or other contrivance for which an authority to construct, permit to operate or renewal permit is required pursuant to these Rules and Regulations and which is not included in the preceding schedules:

Miscellaneous, Per Permit Unit	Fees		
	(1)	(2)	(3)
Each	$ 90.00	$ 45.00	$ 21.00

SCHEDULE 102: Source Testing

Whenever the Air Pollution Control Officer finds that it is necessary for the Air Pollution Control District to make an analysis of the emission from any source for the purpose of determining whether a permit to operate or annual renewal of a permit to operate shall be issued, the cost of collection and analysis of samples, including preparing the necessary reports, shall be added to the appropriate fee schedule herein, as determined in the following manner:

a. $740 for each particulate matter source test.

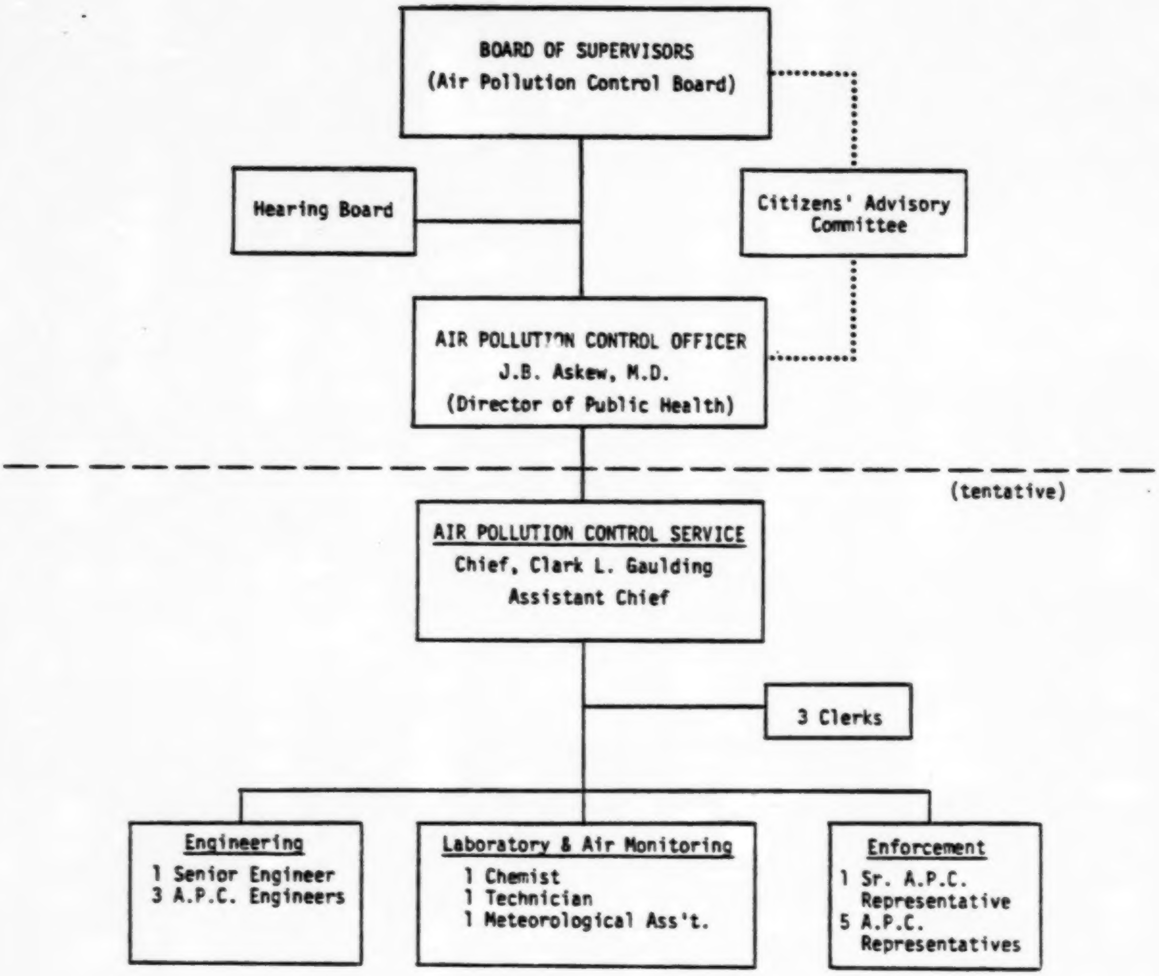
b. $410 for each oxides of nitrogen source test.

c. $570 for each oxides of sulfur source test.

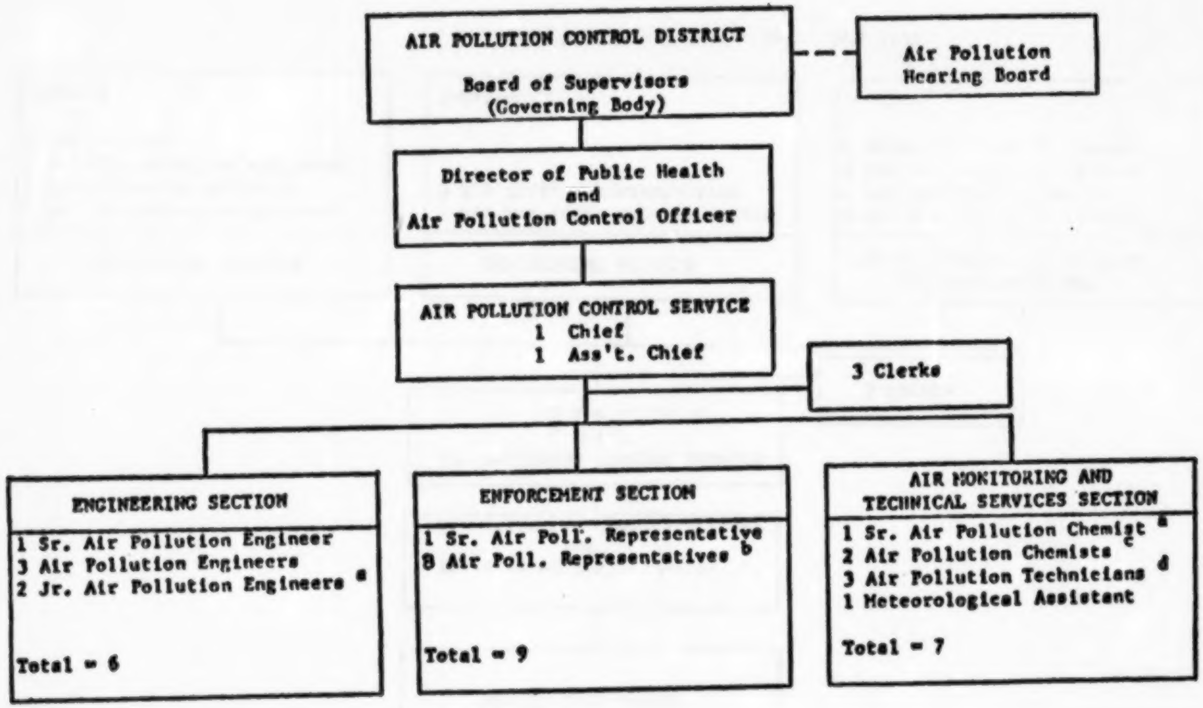
d. $1100 for each hydrocarbon source test.

APPENDIX C

ORGANIZATION CHARTS


BOARD OF SUPERVISORS
(Air Pollution Control Board)
Hearing Board
Citizens' Advisory Committee
AIR POLLUTION CONTROL OFFICER
J.B. Askew, M.D.
(Director of Public Health)
(tentative)
AIR POLLUTION CONTROL SERVICE
Chief, Clark L. Gaulding
Assistant Chief
3 Clerks
Engineering
1 Senior Engineer
3 A.P.C. Engineers
Laboratory & Air Monitoring
1 Chemist
1 Technician
1 Meteorological Ass't.
Enforcement
1 Sr. A.P.C. Representative
5 A.P.C. Representatives

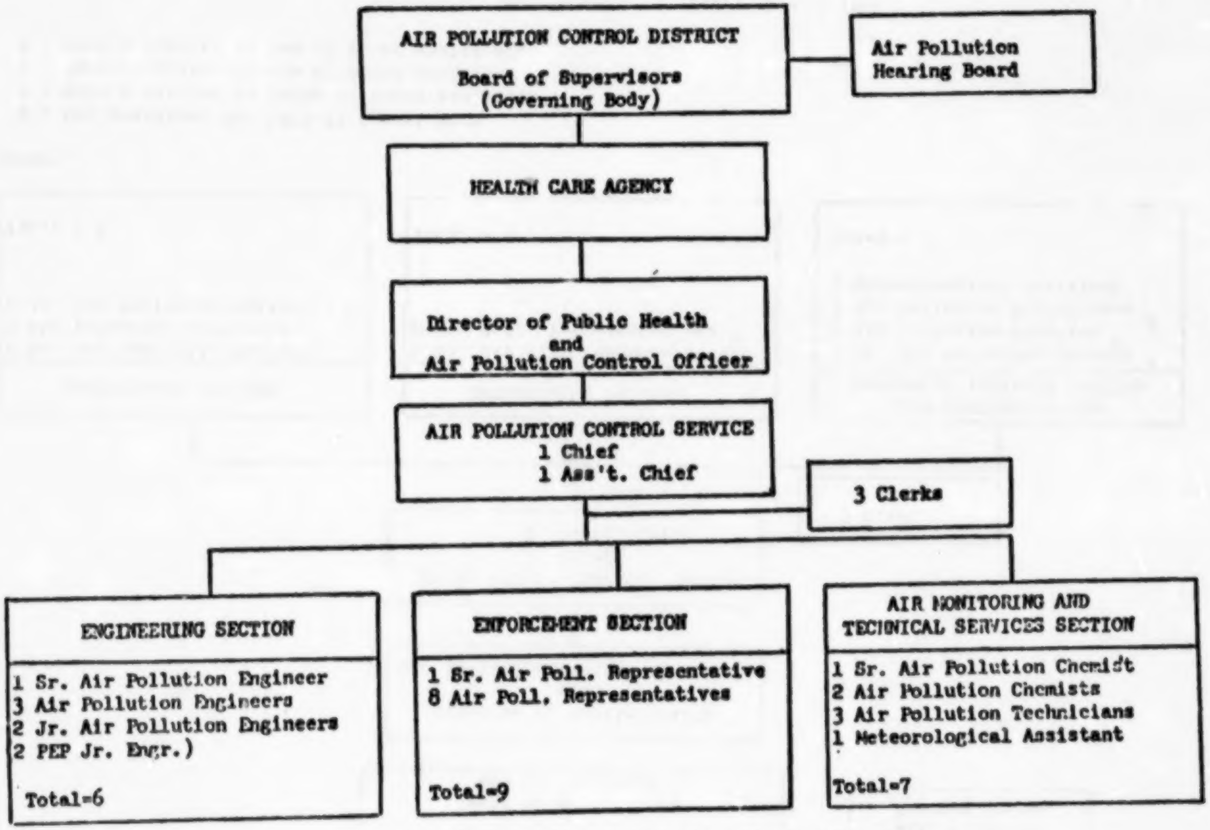
San Diego APCD Organization Chart, 1970-1971 Fiscal Year


AIR POLLUTION CONTROL DISTRICT
Board of Supervisors
(Governing Body)
Air Pollution
Hearing Board
Director of Public Health
and
Air Pollution Control Officer
AIR POLLUTION CONTROL SERVICE
1 Chief
1 Ass't. Chief
3 Clerks
ENGINEERING SECTION
1 Sr. Air Pollution Engineer
3 Air Pollution Engineers
2 Jr. Air Pollution Engineers a
Total = 6
ENFORCEMENT SECTION
1 Sr. Air Poll. Representative
8 Air Poll. Representatives b
Total = 9
AIR MONITORING AND
TECHNICAL SERVICES SECTION
1 Sr. Air Pollution Chemist a
2 Air Pollution Chemists c
3 Air Pollution Technicians d
1 Meteorological Assistant
Total = 7

Notes:

a - New positions for 1971-72 Fiscal Year
b - Note a applies to three of these positions
c - Note a applies to one of these positions
d - Note a applies to two of these positions.

San Diego APCD Organization Chart, August 1971


AIR POLLUTION CONTROL DISTRICT
Board of Supervisors
(Governing Body)
Air Pollution
Hearing Board
HEALTH CARE AGENCY
Director of Public Health
and
Air Pollution Control Officer
AIR POLLUTION CONTROL SERVICE
1 Chief
1 Ass't. Chief
3 Clerks
ENGINEERING SECTION
1 Sr. Air Pollution Engineer
3 Air Pollution Engineers
2 Jr. Air Pollution Engineers
2 PEP Jr. Engr.)
Total=6
ENFORCEMENT SECTION
1 Sr. Air Poll. Representative
8 Air Poll. Representatives
Total=9
AIR MONITORING AND
TECHNICAL SERVICES SECTION
1 Sr. Air Pollution Chemist
2 Air Pollution Chemists
3 Air Pollution Technicians
1 Meteorological Assistant
Total=7

San Diego APCD Organization Chart, July 1972

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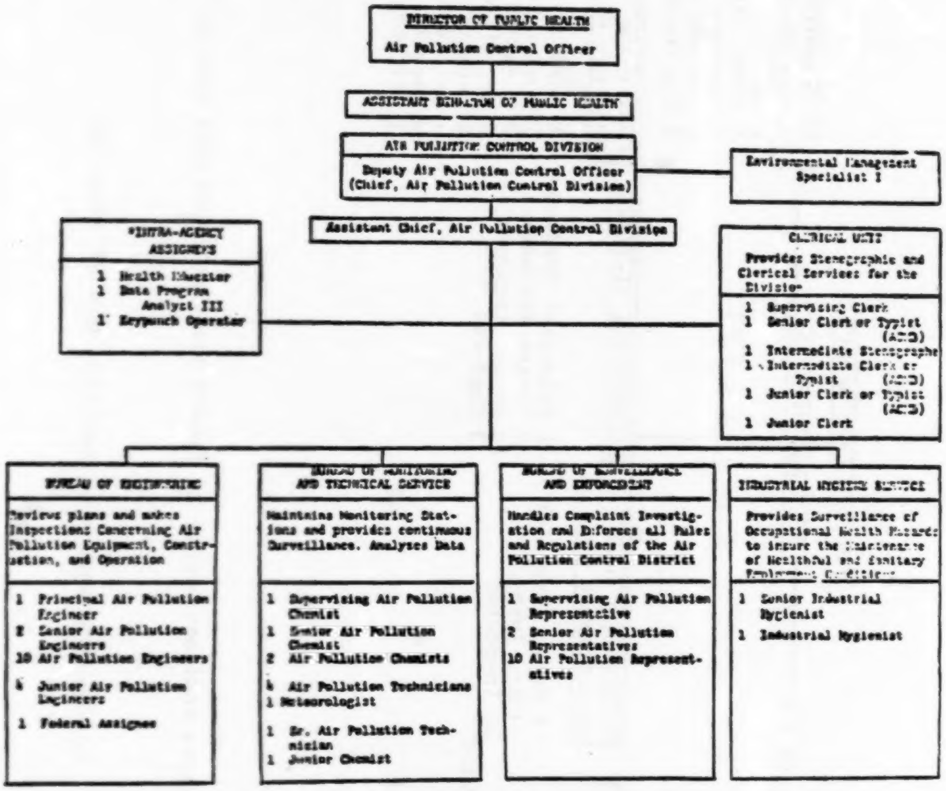
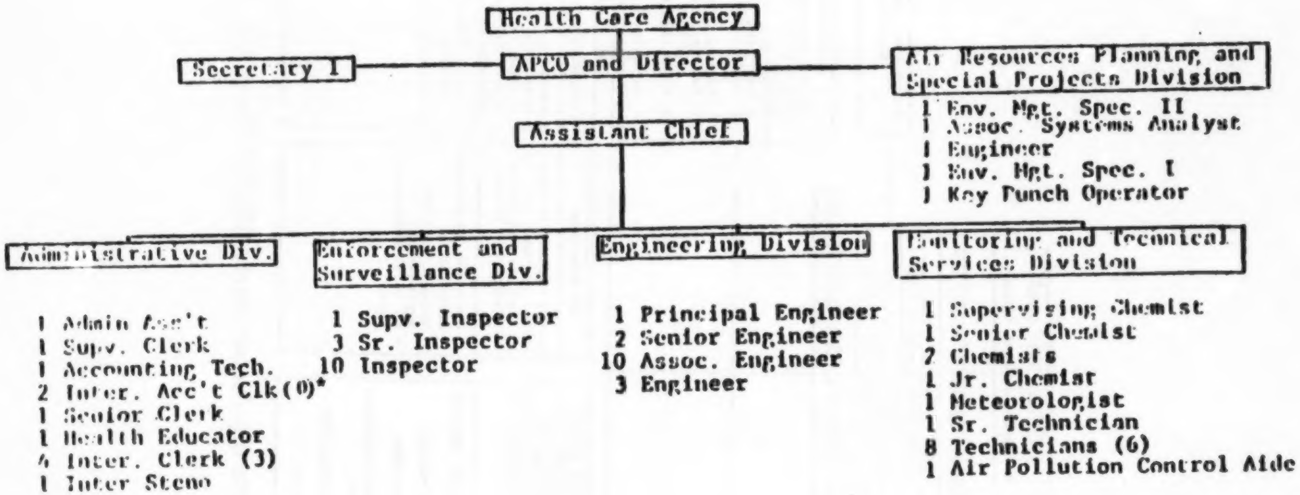

DIRECTOR OF PUBLIC HEALTH
Air Pollution Control Officer
ASSISTANT DIRECTOR OF PUBLIC HEALTH
AIR POLLUTION CONTROL DIVISION
Deputy Air Pollution Control Officer
(Chief, Air Pollution Control Division)
Environmental Management Specialist I
Assistant Chief, Air Pollution Control Division
*INTRA-AGENCY ASSIGNEES
1 Health Educator
1 Data Program Analyst III
1 Keypunch Operator
CLERICAL UNIT
Provides Stenographic and Clerical Services for the Division
1 Supervising Clerk
1 Senior Clerk or Typist ([illegible])
1 Intermediate Stenographer
1 Intermediate Clerk or Typist ([illegible])
1 Junior Clerk or Typist ([illegible])
1 Junior Clerk
BUREAU OF ENGINEERING
Reviews plans and makes Inspections Concerning Air Pollution Equipment, Construction, and Operation
1 Principal Air Pollution Engineer
2 Senior Air Pollution Engineers
10 Air Pollution Engineers
4 Junior Air Pollution Engineers
1 Federal Assignee
BUREAU OF MONITORING AND TECHNICAL SERVICE
Maintains Monitoring Stations and provides continuous Surveillance. Analyses Data
1 Supervising Air Pollution Chemist
1 Senior Air Pollution Chemist
2 Air Pollution Chemists
4 Air Pollution Technicians
1 Meteorologist
1 Sr. Air Pollution Technician
1 Junior Chemist
BUREAU OF SURVEILLANCE AND ENFORCEMENT
Handles Complaint Investigation and Enforces all Rules and Regulations of the Air Pollution Control District
1 Supervising Air Pollution Representative
2 Senior Air Pollution Representatives
10 Air Pollution Representatives
INDUSTRIAL HYGIENE SERVICE
Provides Surveillance of Occupational Health Hazards to insure the Maintenance of Healthful and Sanitary Employment Conditions
1 Senior Industrial Hygienist
1 Industrial Hygienist

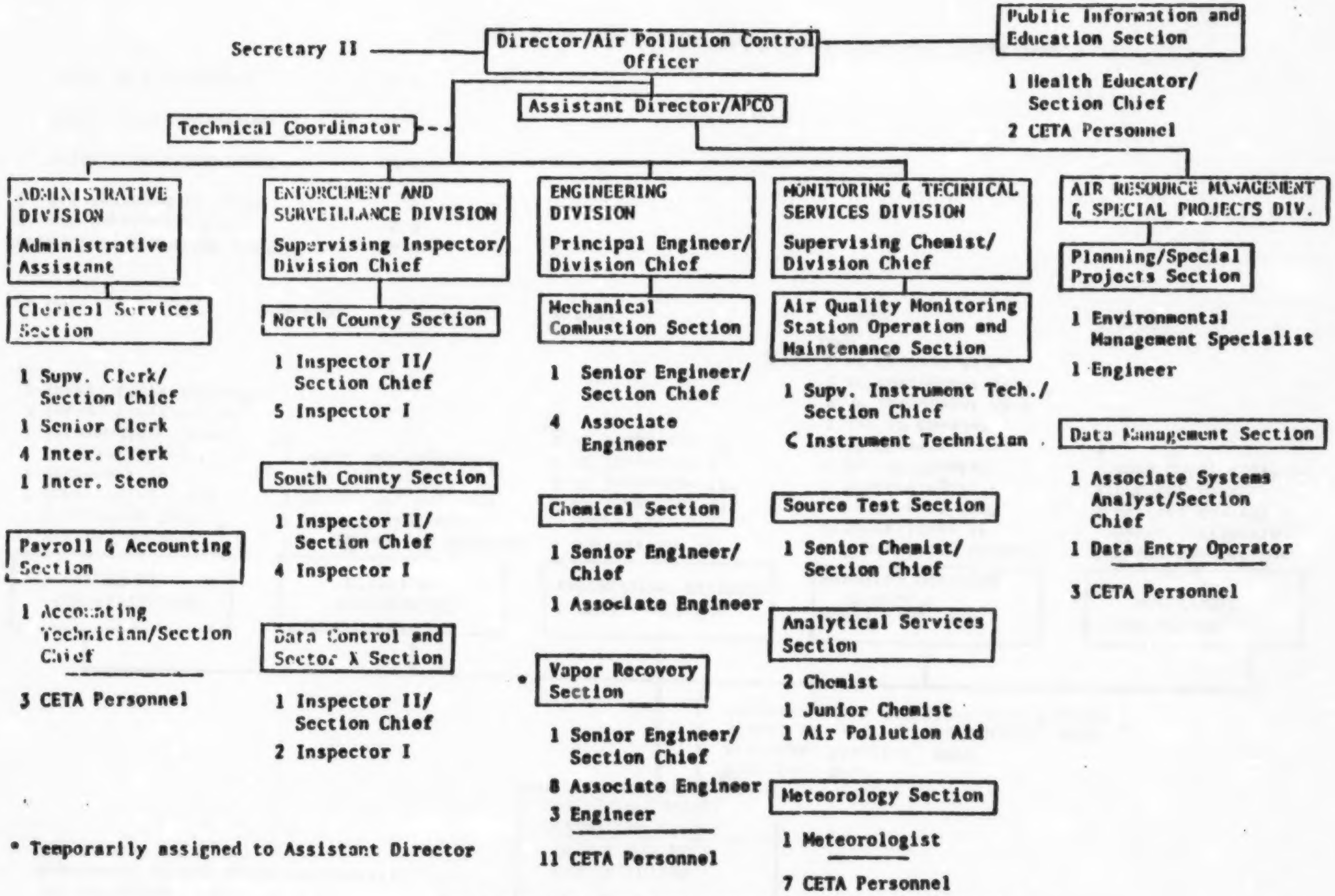
San Diego APCD Organization Chart, 1973-1974 Fiscal Year


Health Care Agency
Secretary I
APCO and Director
Air Resources Planning and Special Projects Division
1 Env. Mgt. Spec. II
1 Assoc. Systems Analyst
1 Engineer
1 Env. Mgt. Spec. I
1 Key Punch Operator
Assistant Chief
Administrative Div.
1 Admin Ass't
1 Supv. Clerk
1 Accounting Tech.
2 Inter. Acc't Clk(0)*
1 Senior Clerk
1 Health Educator
4 Inter. Clerk (3)
1 Inter Steno
Enforcement and Surveillance Div.
1 Supv. Inspector
3 Sr. Inspector
10 Inspector
Engineering Division
1 Principal Engineer
2 Senior Engineer
10 Assoc. Engineer
3 Engineer
Monitoring and Technical Services Division
1 Supervising Chemist
1 Senior Chemist
2 Chemists
1 Jr. Chemist
1 Meteorologist
1 Sr. Technician
8 Technicians (6)
1 Air Pollution Control Aide

*Figures in parentheses indicate number of funded positions when less than maximum authorized.

San Diego APCD Organization Chart Early 1975-1976 Fiscal Year

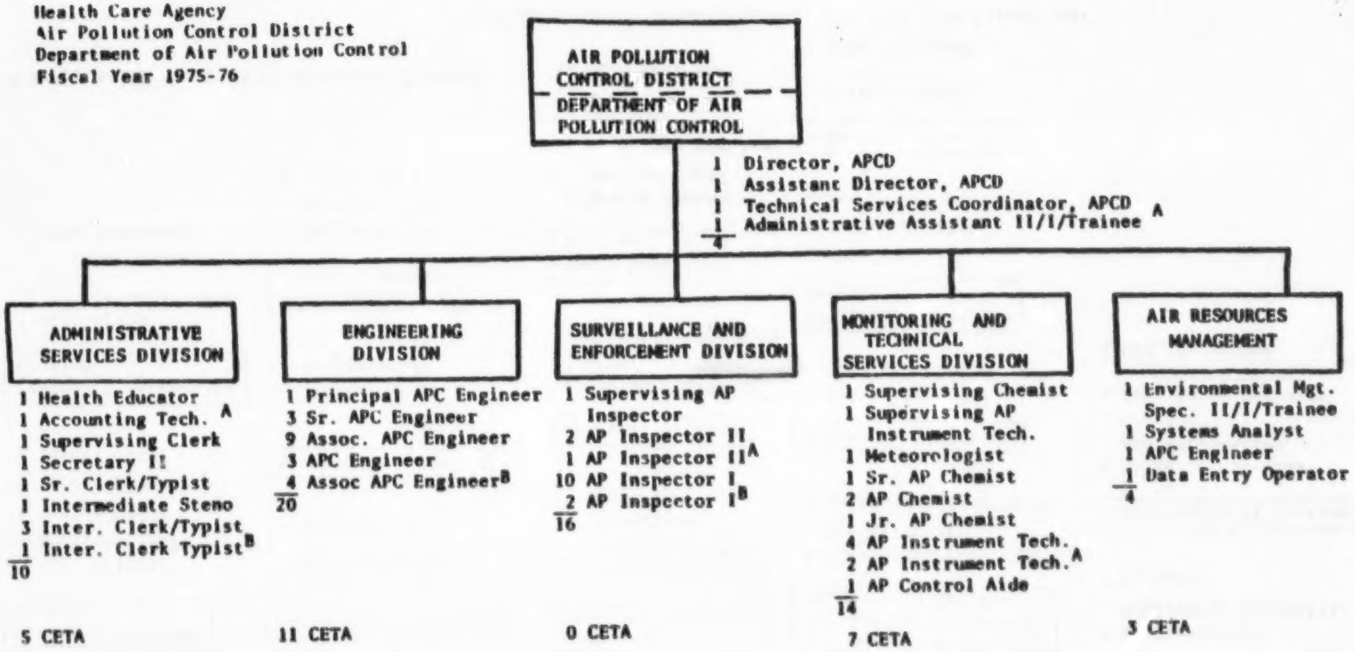
9/8/75


Secretary II
Director/Air Pollution Control Officer
Public Information and Education Section
1 Health Educator/ Section Chief
2 CETA Personnel
Assistant Director/APCO
Technical Coordinator
ADMINISTRATIVE DIVISION
Administrative Assistant
Clerical Services Section
1 Supv. Clerk/ Section Chief
1 Senior Clerk
4 Inter. Clerk
1 Inter. Steno
Payroll & Accounting Section
1 Accounting Technician/Section Chief
3 CETA Personnel
ENFORCEMENT AND SURVEILLANCE DIVISION
Supervising Inspector/ Division Chief
North County Section
1 Inspector II/ Section Chief
5 Inspector I
South County Section
1 Inspector II/ Section Chief
4 Inspector I
Data Control and Sector X Section
1 Inspector II/ Section Chief
2 Inspector I
ENGINEERING DIVISION
Principal Engineer/ Division Chief
Mechanical Combustion Section
1 Senior Engineer/ Section Chief
4 Associate Engineer
Chemical Section
1 Senior Engineer/ Chief
1 Associate Engineer
* Vapor Recovery Section
1 Senior Engineer/ Section Chief
8 Associate Engineer
3 Engineer
11 CETA Personnel
MONITORING & TECHNICAL SERVICES DIVISION
Supervising Chemist/ Division Chief
Air Quality Monitoring Station Operation and Maintenance Section
1 Supv. Instrument Tech./ Section Chief
6 Instrument Technician
Source Test Section
1 Senior Chemist/ Section Chief
Analytical Services Section
2 Chemist
1 Junior Chemist
1 Air Pollution Aid
Meteorology Section
1 Meteorologist
7 CETA Personnel
AIR RESOURCE MANAGEMENT & SPECIAL PROJECTS DIV.
Planning/Special Projects Section
1 Environmental Management Specialist
1 Engineer
Data Management Section
1 Associate Systems Analyst/Section Chief
1 Data Entry Operator
3 CETA Personnel

* Temporarily assigned to Assistant Director

San Diego APCD Organization Chart, Mid 1975-1976 Fiscal Year

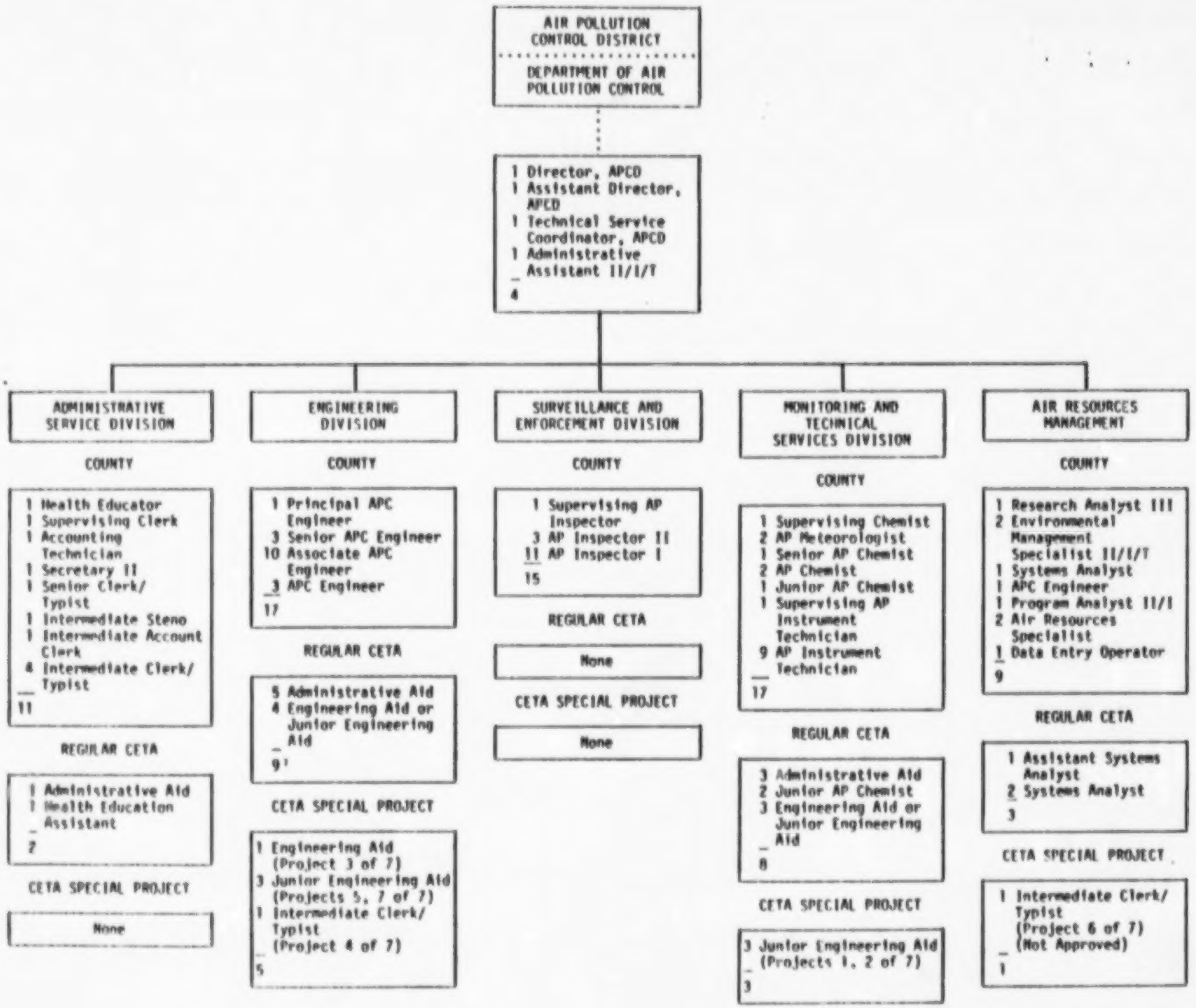
Health Care Agency
Air Pollution Control District
Department of Air Pollution Control
Fiscal Year 1975-76


AIR POLLUTION CONTROL DISTRICT
DEPARTMENT OF AIR POLLUTION CONTROL
1 Director, APCD
1 Assistant Director, APCD
1 Technical Services Coordinator, APCD A
1 Administrative Assistant II/I/Trainee
4
ADMINISTRATIVE SERVICES DIVISION
1 Health Educator
1 Accounting Tech. A
1 Supervising Clerk
1 Secretary II
1 Sr. Clerk/Typist
1 Intermediate Steno
3 Inter. Clerk/Typist
1 Inter. Clerk Typist B
10
5 CETA
ENGINEERING DIVISION
1 Principal APC Engineer
3 Sr. APC Engineer
9 Assoc. APC Engineer
3 APC Engineer
4 Assoc APC Engineer B
20
11 CETA
SURVEILLANCE AND ENFORCEMENT DIVISION
1 Supervising AP Inspector
2 AP Inspector II
1 AP Inspector II A
10 AP Inspector I
2 AP Inspector I B
16
0 CETA
MONITORING AND TECHNICAL SERVICES DIVISION
1 Supervising Chemist
1 Supervising AP Instrument Tech.
1 Meteorologist
1 Sr. AP Chemist
2 AP Chemist
1 Jr. AP Chemist
4 AP Instrument Tech.
2 AP Instrument Tech. A
1 AP Control Aide
14
7 CETA
AIR RESOURCES MANAGEMENT
1 Environmental Mgt. Spec. II/I/Trainee
1 Systems Analyst
1 APC Engineer
1 Data Entry Operator
4
3 CETA

	AUTHORIZED PERMANENT POSITIONS:	56.0
A	B/S Approved 7/1/75:	5.0
B	B/S Approved 12/11/75:	7.0
	TOTAL COUNTY POSITIONS:	68.0
	TOTAL FUNDED POSITIONS:	64.5
	TOTAL CETA POSITIONS:	26.0

San Diego APCD Organization Chart, Late 1975-1976 Fiscal Year

4/2/76



AIR POLLUTION CONTROL DISTRICT

DEPARTMENT OF AIR POLLUTION CONTROL

1 Director, APCD
1 Assistant Director, APCD
1 Technical Service Coordinator, APCD
1 Administrative Assistant II/I/T
4

ADMINISTRATIVE SERVICE DIVISION

COUNTY

1 Health Educator
1 Supervising Clerk
1 Accounting Technician
1 Secretary II
1 Senior Clerk/Typist
1 Intermediate Steno
1 Intermediate Account Clerk
4 Intermediate Clerk/Typist
11

REGULAR CETA

1 Administrative Aid
1 Health Education Assistant
2

CETA SPECIAL PROJECT

None

ENGINEERING DIVISION

COUNTY

1 Principal APC Engineer
3 Senior APC Engineer
10 Associate APC Engineer
3 APC Engineer
17

REGULAR CETA

5 Administrative Aid
4 Engineering Aid or Junior Engineering Aid
9'

CETA SPECIAL PROJECT

1 Engineering Aid (Project 3 of 7)
3 Junior Engineering Aid (Projects 5, 7 of 7)
1 Intermediate Clerk/Typist (Project 4 of 7)
5

SURVEILLANCE AND ENFORCEMENT DIVISION

COUNTY

1 Supervising AP Inspector
3 AP Inspector II
11 AP Inspector I
15

REGULAR CETA

None

CETA SPECIAL PROJECT

None

MONITORING AND TECHNICAL SERVICES DIVISION

COUNTY

1 Supervising Chemist
2 AP Meteorologist
1 Senior AP Chemist
2 AP Chemist
1 Junior AP Chemist
1 Supervising AP Instrument Technician
9 AP Instrument Technician
17

REGULAR CETA

3 Administrative Aid
2 Junior AP Chemist
3 Engineering Aid or Junior Engineering Aid
8

CETA SPECIAL PROJECT

3 Junior Engineering Aid (Projects 1, 2 of 7)
3

AIR RESOURCES MANAGEMENT

COUNTY

1 Research Analyst III
2 Environmental Management Specialist II/I/T
1 Systems Analyst
1 APC Engineer
1 Program Analyst II/I
2 Air Resources Specialist
1 Data Entry Operator
9

REGULAR CETA

1 Assistant Systems Analyst
2 Systems Analyst
3

CETA SPECIAL PROJECT

1 Intermediate Clerk/Typist (Project 6 of 7) (Not Approved)
1

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